

# Kansas State Board of Nursing

## Update

July 19, 2022

*The mission of the Board of Nursing is to assure the citizens of Kansas safe and competent practice by nurses and mental health technicians*



## Update on APRN practice changes

Progress has occurred on the implementation of [Senate Substitute for House Bill 2279](#) and this update will cover the implementation progress:

- ◆ The bill mandated the Kansas State Board of Nursing (KSBN) to have rules and regulations that are consistent with the Kansas Nurse Practice Act. K.S.A. 65-1130 was the statute from the Nurse Practice Act that was amended in the bill. K.S.A. 65-1130 includes the law about APRN standards and requirements for licensure, rules and regulations, roles, titles and abbreviations, and prescription of drugs authorized. Since the implementation date of most of the bill was July 1, 2022, KSBN needed to have temporary and permanent regulation changes that incorporate the changes in this statute. The process to get approval of permanent regulation changes would not occur before July 1, 2022. KSBN put both temporary and permanent regulation changes through the approval process. The regulation changes were written in consultation with KSBN's legal counsel. There are seven regulations that were revised with temporary and permanent changes. Three of the temporary regulation changes were approved on 6/30/22 and the remaining four were approved yesterday, 7/18/22. The following are the changes in each revised temporary regulation:
- ◆ **[K.A.R. 60-11-101: Definition of expanded role.](#)** The language stating the need for authorization for collaborative practice, definition of authorization for collaborative practice, physician, prescription, and prescription order were removed from this temporary regulation. **Effective date of July 18, 2022**
- ◆ **[K.A.R. 60-11-103: Licensure and educational requirements for advanced practice registered nurses.](#)** Language was added regarding the need to submit proof of APRN certification in the applicant's specific role and population focus granted by a national certifying organization that is recognized by the board and whose certification standards are approved by the board as equal to or greater than the corresponding standard established by the board for initial licensure applications submitted on and after July 1, 2023. Language was also added regarding the applicant must submit proof of malpractice insurance coverage if the applicant renders professional clinical services as an APRN, unless the APRN meets one of the exceptions listed in K.S.A. 65-1130. **Effective date of July 1, 2022**
- ◆ **[K.A.R. 60-11-104: Functions of the APRN in the role of nurse practitioner.](#)** Language was removed about the need for an authorization for collaborative practice. **Effective date of July 18, 2022**
- ◆ **[K.A.R. 60-11-104a: Prescription orders.](#)** Language was removed about the need for a written protocol with a responsible physician for the APRN to prescribe. Language was added that states any APRN may perform the following: 1) prescribe durable medical equipment; 2) prescribe, procure, and administer any drug consistent with the licensee's specific role and population focus, except any drug that is intended to cause an abortion; and 3) prescribe, procure, or administer any drug that is a controlled substance in accordance with the uniform controlled substances act as specific in K.S.A. 65-4101. **Effective date of July 1, 2022**
- ◆ **[K.A.R. 60-11-105: Functions of the APRN in the role of nurse-midwife.](#)** Language was removed about the need for an authorization for collaborative practice. **Effective date of July 18, 2022**

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- ◆ **K.A.R. 60-11-107: Functions of the APRN in the role of clinical nurse specialist.** Language was removed about the need for an authorization for collaborative practice. **Effective date of July 18, 2022**
- ◆ **K.A.R. 60-11-113: License renewal.** Language was added that any APRN whose initial licensure is before July 1, 2023, may submit evidence of APRN certification to the Board upon license renewal. Language was also added that an APRN shall provide proof of malpractice insurance coverage when renewing the license if the APRN renders professional clinical services, unless the APRN meets one of the exceptions listed in K.S.A. 65-1130. **Effective date of July 1, 2022**
- ◆ The temporary regulations listed above are in place for a period of 120 days from the effective date. The process for approval of the seven permanent regulation revisions continues to progress. There is a public hearing scheduled for September 6 for anyone to share comments, if they wish. The information about the public hearing is posted on our website in the scroll section. We are currently in a 60 day comment period in which anyone may provide comments for the Board of Nursing to review. They can email their comments to: carol.moreland@ks.gov. The comments can be in support of or against the proposed permanent regulation changes. All the comments will be given to the Board to review at their September 2022 Board meeting and decide next steps.
- ◆ **Frequently asked questions about all this content:**
- ◆ Does this mean I can practice without a collaborative agreement? Yes, during the 120 days of the temp regulations. The intent is to have the permanent regulation revisions approved and in place before the end of the 120 days.
- ◆ Do I have to submit my malpractice information proof before my license renewal? No, the language in the bill states it is a requirement at the time of licensure renewal. There are questions on the license renewal application that you will need to complete regarding malpractice coverage, unless you are not rendering clinical services as an APRN or you meet one of the exceptions in the bill.
- ◆ What is the amount of malpractice insurance I must have? The bill did not include the dollar amount of malpractice insurance you are required to have.
- ◆ [Link to view the Senate Substitute for HOUSE BILL NO. 2279](#)
- ◆ If you have questions about the federal drug enforcement agency, you need to contact them with your questions. KSBN will not be answering DEA questions, as that agency is separate from KSBN. [Link to the DEA website](#)
- ◆ The approved temporary rules and regulations in the Kansas Nurse Practice Act affected by this are being added to the Nurse Practice Act on our website. There are links to them on our website.
- ◆ KSBN will have a list of approved national certification organizations that have certification standards that are equal to or greater than the corresponding standards established by the board. The effective date for this requirement is July 1, 2023, so the list, once completed, will be posted on our website before this effective date.
- ◆ If you have questions about any of this information, please carefully review the bill. A review of the bill and this update will answer most of your questions.
- ◆ I understand this process has been confusing. KSBN is working to make it as clear as possible. KSBN has followed all the processes for the temporary and permanent regulation revision adoption.
- ◆ Continue to check our [website](#) frequently for updates!!

**Thank you for your continued support. Stay safe and healthy!**

*Carol Moreland, MSN, RN, Executive Administrator*