

HOUSE BILL No. 2562

By Committee on Judiciary

1-27

1 AN ACT concerning public health; relating to emergency care or
2 assistance at the scene of an emergency or accident; *concerning*
3 *certain contracts by the board of healing arts with persons licensed to*
4 *practice the healing arts; amending K.S.A. 2011 Supp. 65-2878 and*
5 *repealing the existing section}.*
6

7 *Be it enacted by the Legislature of the State of Kansas:*

8 *{New}* Section 1. Any person who is not a health care provider
9 pursuant to K.S.A. 2011 Supp. 65-2891, and amendments thereto, who in
10 good faith ~~gratuitously~~ **without compensation** renders emergency care or
11 assistance **to a person, including a minor without first obtaining the**
12 **consent of the parent or guardian of such minor**, at the scene of an
13 emergency or accident shall not be held liable for any civil damages for
14 acts or omissions other than damages occasioned by gross negligence or
15 by willful or wanton acts or omissions by such person in rendering such
16 emergency care.

17 *{Sec. 2. K.S.A. 2011 Supp. 65-2878 is hereby amended to read as*
18 *follows: 65-2878. (a) The board shall appoint an executive director,*
19 *subject to confirmation by the senate as provided in K.S.A. 75-4315b,*
20 *and amendments thereto. Except as provided by K.S.A. 46-2601, and*
21 *amendments thereto, no person appointed as executive director shall*
22 *exercise any power, duty or function as executive director until*
23 *confirmed by the senate. The executive director shall be in the*
24 *unclassified service under the Kansas civil service act and shall receive a*
25 *salary fixed by the board and approved by the governor. The executive*
26 *director shall not be a member of the board. Under the supervision of*
27 *the board, the executive director shall be the chief administrative officer*
28 *of the board and shall perform such duties as may be specified by the*
29 *board and as may be required by law. The executive director shall be the*
30 *custodian of the common seal of the board, the books and records of the*
31 *board and shall keep minutes of all board proceedings.*

32 *(b) The board may employ an administrative assistant. The*
33 *administrative assistant shall be in the unclassified service under the*
34 *Kansas civil service act and shall receive a salary fixed by the board and*

1 *approved by the governor. Under the supervision of the executive*
2 *director, the administrative assistant shall assist the executive director in*
3 *the performance of the duties of the executive director.*

4 *(c) The board may employ such clerical and other employees, who*
5 *shall be in the classified service under the Kansas civil service act, as it*
6 *considers necessary in order to administer and execute, under the*
7 *supervision of the executive director, the provisions of this act or other*
8 *statutes delegating duties and responsibilities to the board, except that*
9 *any attorney employed by the board shall be in the unclassified service*
10 *under the Kansas civil service act and shall receive a salary fixed by the*
11 *board and approved by the governor.*

12 *(d) As necessary, the board shall be represented by an attorney*
13 *appointed by the attorney general as provided by law, whose*
14 *compensation shall be determined and paid by the board with the*
15 *approval of the governor.*

16 *(e) The board may contract with one or more persons who are*
17 *licensed to practice the healing arts in this state and who are not*
18 *members of the board to provide such advice and assistance as necessary*
19 *on: Licensure matters including review, investigation and disposition of*
20 *complaints; clinical and patient care matters; and the ethical conduct*
21 *and professional practice of licensees; or to perform other duties as*
22 *assigned by the executive director or the board. For the purposes of*
23 *contracting with such persons, the board shall be exempt from the*
24 *provisions of K.S.A. 75-3739, and amendments thereto.*

25 **Sec. 3. *K.S.A. 2011 Supp. 65-2878 is hereby repealed.***

26 **Sec. ~~2~~. {4.}** This act shall take effect and be in force from and after its
27 publication in the ~~statute book~~ {*Kansas register*}.

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