

SENATE BILL No. 3

By Senator Faust-Goudeau

1-4

1 AN ACT concerning physician assistants; exempt license; amending
2 K.S.A. 2012 Supp. 65-28a03 and repealing the existing section.

3
4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 2012 Supp. 65-28a03 is hereby amended to read as
6 follows: 65-28a03. (a) As a condition of engaging in active practice as a
7 physician assistant, each licensed physician assistant shall file a request to
8 engage in active practice signed by the physician assistant and the
9 physician who will be responsible for the physician assistant. The request
10 shall contain such information as required by rules and regulations adopted
11 by the board. The board shall maintain a list of the names of physician
12 assistants who may engage in active practice in this state.

13 (b) All licenses, except temporary licenses, shall expire on the date of
14 expiration established by rules and regulations of the state board of healing
15 arts and may be renewed as required by the board. The request for renewal
16 shall be on a form provided by the state board of healing arts and shall be
17 accompanied by the renewal fee established pursuant to this section, which
18 shall be paid not later than the expiration date of the license.

19 (c) At least 30 days before the expiration of the license of a physician
20 assistant, except a temporary license, the state board of healing arts shall
21 notify the licensee of the expiration by mail addressed to the licensee's last
22 mailing address as noted upon the office records of the board. If the
23 licensee fails to pay the renewal fee by the date of expiration of the
24 license, the licensee shall be given a second notice that the licensee's
25 license has expired and the license may be renewed only if the renewal fee
26 and the late renewal fee are received by the state board of healing arts
27 within the 30-day period following the date of expiration and that, if both
28 fees are not received within the 30-day period, the license shall be deemed
29 canceled by operation of law without further proceedings for failure to
30 renew and shall be reissued only after the license has been reinstated under
31 subsection (d).

32 (d) Any license canceled for failure to renew as herein provided may
33 be reinstated upon recommendation of the state board of healing arts and
34 upon payment of the reinstatement fee and upon submitting evidence of
35 satisfactory completion of any applicable continuing education
36 requirements established by the board. The board shall adopt rules and

1 regulations establishing appropriate continuing education requirements for
2 reinstatement of licenses canceled for failure to renew.

3 (e) There is hereby created the designation of inactive license. The
4 board is authorized to issue an inactive license to any licensee who makes
5 written application for such license on a form provided by the board and
6 remits the fee for an inactive license established pursuant to subsection ~~(g)~~
7 *(h)* of this section. The board may issue an inactive license only to a
8 person who meets all the requirements for a license to practice as a
9 physician assistant and who does not engage in active practice as a
10 physician assistant in the state of Kansas. An inactive license shall not
11 entitle the holder to engage in active practice. The provisions of
12 subsections (c) and (d) of this section relating to expiration, renewal and
13 reinstatement of a license shall be applicable to an inactive license issued
14 under this subsection. *The holder of an inactive license shall not be*
15 *required to submit evidence of satisfactory completion of a program of*
16 *continuing education required by this section.* Each inactive licensee may
17 apply to engage in active practice by presenting a request required by
18 subsection (a). The request shall be accompanied by the fee established
19 pursuant to subsection ~~(g)~~*(h)*.

20 (f) There is hereby created a designation of federally active license.
21 The board is authorized to issue a federally active license to any licensee
22 who makes a written application for such license on a form provided by
23 the board and remits the same fee required for a license established under
24 subsection ~~(g)~~*(h)*. The board may issue a federally active license only to a
25 person who meets all the requirements for a license to practice as a
26 physician assistant and who practices as a physician assistant solely in the
27 course of employment or active duty in the United States government or
28 any of its departments, bureaus or agencies. The provisions of subsections
29 (c) and (d) relating to expiration, renewal and reinstatement of a license
30 shall be applicable to a federally active license issued under this
31 subsection. Each federally active licensee may apply to engage in active
32 practice by presenting a request required by subsection (a) of this section.

33 (g) *(1) There is hereby created a designation of exempt license. The*
34 *board is authorized to issue an exempt license to any licensee who makes*
35 *written application for such license on a form provided by the board and*
36 *remits the fee for an exempt license established under subsection (h). The*
37 *board may issue an exempt license to a person who is not regularly*
38 *engaged in the practice as a physician assistant in Kansas and who does*
39 *not hold oneself out to the public as being professionally engaged in such*
40 *practice. An exempt license shall entitle the holder to all privileges*
41 *attendant to the practice as a physician assistant for which such license is*
42 *issued. Each exempt license may be renewed subject to the provisions of*
43 *this section. Each exempt licensee shall be subject to all provisions of the*

1 *physician assistant licensure act, except as otherwise provided in this*
2 *subsection. The holder of an exempt license shall not be required to submit*
3 *evidence of satisfactory completion of a program of continuing education*
4 *required by this section. Each exempt licensee may apply for a license to*
5 *regularly engage in the practice of physician assistant upon filing a*
6 *written application with the board. The request shall be on a form*
7 *provided by the board and shall be accompanied by the license fee*
8 *established under subsection (h). The board shall adopt rules and*
9 *regulations establishing appropriate requirements to obtain and maintain*
10 *an exempt license.*

11 (2) *For the licensee whose license has been exempt for less than two*
12 *years, the board shall adopt rules and regulations establishing*
13 *appropriate continuing education requirements for exempt licensees to*
14 *become licensed to regularly practice as a physician assistant within*
15 *Kansas. Any licensee whose license has been exempt for more than two*
16 *years and who has not been in the active practice as a physician assistant*
17 *or engaged in a formal educational program since the license has been*
18 *exempt may be required to complete such additional testing, training or*
19 *education as the board may deem necessary to establish the licensee's*
20 *present ability to practice with reasonable skill and safety.*

21 (3) *Nothing in this subsection shall be construed to prohibit a person*
22 *holding an exempt license from serving as a paid employee or unpaid*
23 *volunteer of: (A) A local health department as defined by K.S.A. 65-241,*
24 *and amendments thereto; or (B) an indigent health care clinic as defined*
25 *by K.S.A. 75-6102, and amendments thereto, or from serving as a*
26 *volunteer in case of a disaster or emergency.*

27 (h) *The following fees shall be fixed by rules and regulations adopted*
28 *by the state board of healing arts and shall be collected by the board:*

29 (1) *For any license as a physician assistant, the sum of not more than*
30 *\$200;*

31 (2) *for temporary licensure as a physician assistant, the sum of not*
32 *more than \$30;*

33 (3) *for the renewal of a license to practice as a physician assistant or a*
34 *federally active license, the sum of not more than \$150;*

35 (4) *for renewal of an inactive license or exempt license, the sum of*
36 *not more than \$150;*

37 (5) *for the late renewal of any license as a physician assistant, the*
38 *sum of not more than \$250;*

39 (6) *for reinstatement of a license canceled for failure to renew, the*
40 *sum of not more than \$250;*

41 (7) *for a certified statement from the board that a physician assistant*
42 *is licensed in this state, the sum of not more than \$30;*

43 (8) *for a copy of the licensure certificate of a physician assistant, the*

1 sum of not more than \$25; and

2 (9) for conversion of an inactive license *or exempt license* to a license
3 to actively practice as a physician assistant or a federally active license, the
4 sum of not more than \$150.

5 ~~(h)~~(i) The state board of healing arts shall remit all moneys received
6 by or for the board under the provisions of this act to the state treasurer
7 and such money shall be deposited in the state treasury, credited to the
8 state general fund and the healing arts fee fund and expended all in
9 accordance with K.S.A. 65-2855, and amendments thereto.

10 ~~(i)~~(j) The board may promulgate all necessary rules and regulations
11 for carrying out the provisions of this act.

12 Sec. 2. K.S.A. 2012 Supp. 65-28a03 is hereby repealed.

13 Sec. 3. This act shall take effect and be in force from and after its
14 publication in the statute book.