



To: Senate Commerce and Labor Committee

From: Rachelle Colombo
Executive Director

Date: February 17, 2020

Re: SB 366 concerning occupation regulation

Thank you for the opportunity to appear before you today to provide comments regarding SB 366, which expands existing law providing for expedited licensing of occupational and professional licenses to nonresident, non-military applicants. The Kansas Medical Society has been supportive of previous legislation that has expedited licensure for veterans and military spouses, so long as such efforts have been carefully crafted to uphold state licensing standards and provide a reasonable time frame for processing. While we appreciate the intent of SB 366, we have concerns that the changes included in this bill could have serious unintended consequences which jeopardize the core duty of the Board of Healing Arts to protect the public.

HB 2506 both expands expedited processing to all non-residents and significantly shortens the period of time a licensing agency has to issue a license to applicants from 60 days to 10 business days. Under the bill, a licensing agency would be required to issue a temporary permit at the time of application to any applicant whose license from another state is found to not be substantially equivalent to the licensure requirements in Kansas. This fundamentally undermines the purpose of state licensure laws and requirements. In such instance, the licensing agency would have to make a specific finding that issuing a temporary permit would jeopardize the safety of the public. However, there are already laws which stipulate the circumstances and qualifications required for temporary medical licenses that would be rendered moot for non-resident applicants. Though SB 366 appears to be aimed at fair and timely licensure, that is unlikely to be its impact.

SB 366 fails to contemplate that by mandating an expedited process for all non-residents with established licensure in another state, non-residents are essentially prioritized over resident applicants and granted licensure more quickly than any other applicant. Finally, SB 366 applies to all occupations and professions licensed by the state of Kansas, except attorneys, who are specifically exempted from the expedited licensure process provisions. This is at very best inconsistent with the otherwise broadly applied requirements of this bill.

The Kansas Medical Society supports reasonable efforts to ensure timely licensure of all qualified applicants, however, we are opposed to SB 366. As written, it is not applied to all professions and prioritizes non-residents over all other duties of the Board of Healing Arts by setting such a short time frame for processing and granting. The law should carefully consider the impact to the public of expediting processes that could impact the integrity of licensure standards and other regulatory oversight functions of licensing boards.

We respectfully request your unfavorable consideration of SB 366 as written.