

February 11, 2020

The Honorable Sean Tarwater, Chairperson
House Committee on Commerce, Labor and Economic Development
Statehouse, Room 151D-S
Topeka, Kansas 66612

Dear Representative Tarwater:

SUBJECT: Fiscal Note for HB 2453 by Representative Rhiley

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2453 is respectfully submitted to your committee.

HB 2453 would allow certain Kansas licensing and regulatory boards to grant and renew licenses to applicants who hold a current, valid license issued by the appropriate regulatory agency in another state that has substantially equivalent requirements for such licensure in Kansas. Licensees of the following state agencies are addressed in the bill:

1. Board of Accountancy;
2. Board of Examiners in Optometry;
3. Board of Healing Arts;
4. Board of Pharmacy;
5. Behavioral Sciences Regulatory Board;
6. Emergency Medical Services Board;
7. Department for Aging & Disability Services;
8. Department of Education;
9. Board of Nursing; and
10. Office of Attorney General.

Seven of the ten agencies listed above state that they already have the authority granted in HB 2453, either in statute or rules and regulations. The Board of Nursing states that it would have to revise current regulations regarding licensure for registered nurse anesthetists and mental health technicians. The cost for publishing the new regulations would be approximately \$1,000 from the agency fee fund. The Board of Pharmacy states that expenditures related to processing additional applications would be offset set by fees charged. The agency states that any increase in the number of complaints, investigations, and disciplinary actions related to the new licensees would result in the need for more administrative and compliance staff. However, a cost estimate cannot be made.

The Board of Healing Arts states that the professions impacted by HB 2453 include; Medical Doctors, Chiropractors, Doctors of Osteopathy, Physician Assistants, Independent Practice of Nurse Midwifery, Physical Therapists, Physical Therapist Assistants, Occupational Therapists, Occupational Therapy Assistants, Respiratory Therapists, and Naturopathic Doctors. The bill would require the agency to implement an additional application type for each of these professions. The agency will also have to develop training for staff to process and approve the applications from these applicants. The agency would determine which states meet the requirements of having licensure requirements that are “substantially equivalent” to Kansas requirements and review each state’s requirements on a regular basis to determine if changes have been made. HB 2453 could result in additional fee revenue if the number of applications received is more than those already received under the current “license by endorsement” options. The agency states there may be a need to add additional licensing staff to accommodate increased requests for Kansas licensure. However, there is no solid mechanism to quantify the number of professionals who may request a Kansas license. Therefore, the agency is unable to determine how many, if any, additional licensing staff will be required. At a minimum, the agency will require a half-time para-legal in the General Counsel Department to continually monitor all states licensing requirements. An expenditure increase of approximately \$42,550 in FY 2021, and a continuing annual expenditure of \$35,100 will be required to meet the costs associated with this new position. Any fiscal effect associated with HB 2453 is not reflected in *The FY 2021 Governor’s Budget Report*.

Sincerely,



Larry L. Campbell
Director of the Budget

cc: Susan Somers, Board of Accountancy
Susan Gile, Board of Healing Arts
Jan Murray, Optometry
Alexandra Blasi, Board of Pharmacy
Max Foster, Behavioral Sciences
Connie Hubbell, Aging & Disability Services
Joe House, EMS
Dale Dennis, Education
Willie Prescott, Office of the Attorney General
Jill Simons, Board of Nursing