

SESSION OF 2007

SUPPLEMENTAL NOTE ON SENATE BILL NO. 107

As Amended by Senate Committee on
Public Health and Welfare

Brief*

SB 107, if enacted, would create a new statute that authorizes the Board of Nursing to require applicants for an original (first) license to practice as a licensed professional nurse, licensed practical nurse, or mental health technician to be fingerprinted and to submit to a state and national criminal history record check. The fingerprints would be used to identify the applicant and would be submitted by the Board to the KBI and FBI for a state and national criminal history record check. Information from the fingerprinting could be used by the Board for verifying the identification of an applicant for an original license and in making a determination of the applicant's character and fitness for a nursing or mental health technician license,

Local and state law enforcement officers and agencies are directed by the bill to assist the Board in taking and processing fingerprints and to release all records of adult and juvenile convictions, adjudications, expungements, and non-convictions to the Board of Nursing.

The bill authorizes the Board of Nursing to set a fee for fingerprinting in an amount necessary to reimburse the Board for the cost of fingerprinting and criminal history record check and to deposit such fees to the Criminal Background and Fingerprinting Fund created by the bill.

Background

Introduction of SB 107 was requested by the Board of Nursing whose representative testified in favor of the bill. Also testifying in favor of the bill was a representative of the Kansas Hospital Association. A representative of the Kansas Nurses Association expressed support for the general concept of the bill, but

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

recommended that criminal history checks be limited to convictions and that some provisions in current law relating to disciplinary actions of the Board of Nursing be clarified.

The Committee amendment restricts the authority to require fingerprinting and criminal history checks to applicants for an original license.

The fiscal note indicates the Board of Nursing estimates fingerprinting new applicants beginning in FY 2008 would cost \$241,866 from all sources. All fees collected pursuant to the bill would be deposited in the Fund created therein and administered by the Board to reimburse the KBI for processing fingerprints and conducting background checks. Any fiscal effect would be in addition to the amounts included in the *FY 2008 Governor's Budget Report*.