

HOUSE BILL No. 2368

By Committee on Health and Human Services

Requested by Representative Buehler on behalf of the Kansas Association of
Anesthesiologist Assistants

2-7

House Committee on Health and Human Services
Proposed Amendment to HB 2368 - Program Moratorium
March 11, 2025
Prepared by the Office of Revisor of Statutes

AN ACT enacting the anesthesiologist assistant licensure act; providing
for the powers, duties and functions of the state board of healing arts
thereunder; amending K.S.A. 65-1163 and 65-28,127 and K.S.A. 2024
Supp. 22-4714 and repealing the existing sections.

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

New Section 1. Sections 1 through 12, and amendments thereto, shall
be known and may be cited as the anesthesiologist assistant licensure act.

New Sec. 2. As used in the anesthesiologist assistant licensure act:

(a) "Anesthesiologist" means a physician who has completed a
residency in anesthesiology approved by the American board of
anesthesiology or the osteopathic board of anesthesiology.

(b) "Anesthesiologist assistant" means a person who is licensed in
accordance with the provisions of this act and who provides patient
services under the direction and supervision of a supervising or designated
anesthesiologist.

(c) "Applicant" means a person who submits an original application
for, or reinstatement of, any license, registration, permit or certificate.

(d) "Board" means the state board of healing arts.

(e) "Designated anesthesiologist" means an anesthesiologist
designated by the supervising anesthesiologist to ensure direction and
supervision of the anesthesiologist assistant.

(f) "Direction and supervision" means the guidance, direction and
coordination of the activities of an anesthesiologist assistant by such
anesthesiologist assistant's supervising or designated anesthesiologist,
whether written or verbal, whether immediate or by prior arrangement, in
accordance with standards established by the board by rules and
regulations, which standards shall be designed to ensure adequate direction
and supervision by the supervising or designated anesthesiologist of the
anesthesiologist assistant.

(g) "License" means any license or temporary license granted under
the anesthesiologist assistant licensure act.

(h) "Licensee" means all persons issued a license or temporary
license pursuant to the anesthesiologist assistant licensure act.

(b) When it appears to the board that any person is violating any of the provisions of this act, the board may bring an action in the name of the state of Kansas in a court of competent jurisdiction for an injunction against such violation without regard to whether proceedings have been or may be instituted before the board or whether criminal proceedings have been or may be instituted.

Sec. 13. K.S.A. 2024 Supp. 22-4714 is hereby amended to read as follows: 22-4714. (a) A governmental agency other than a criminal justice agency as defined in K.S.A. 22-4701, and amendments thereto, identified in subsection (b) may require a person to be fingerprinted and shall submit such fingerprints to the Kansas bureau of investigation and the federal bureau of investigation for a search of the state and federal database. Fingerprints provided pursuant to this section may be used to identify a person and to determine whether such person has a record of criminal history in this state or in another jurisdiction. An agency identified in subsection (b) may use the information obtained from the criminal history record check for the purposes of verifying the identification of a person and in the official determination of the qualifications and fitness of such person to be issued or maintain employment, licensure, registration, certification or a permit, act as an agent of a licensee, hold ownership of a licensee or serve as a director or officer of a licensee.

(b) (1) The Kansas bureau of investigation shall release criminal history record information related to adult convictions, adult non-convictions, adult diversions, adult expunged records, juvenile adjudications, juvenile non-adjudications, juvenile diversions and juvenile expunged records to the Kansas department for children and families or the Kansas department for aging and disability services for initial or continuing employment or participation in any program administered for the placement, safety, protection or treatment of vulnerable children or adults as described in K.S.A. 75-53,105, and amendments thereto.

(2) The Kansas bureau of investigation shall release criminal history record information related to adult convictions, adult non-convictions, adult diversions, adult expunged records and juvenile expunged records to:

(A) The state lottery for candidates for employees as defined in K.S.A. 74-8702, and amendments thereto, in connection with such employment as described in K.S.A. 74-8704, and amendments thereto; and

(B) the Kansas racing and gaming commission for candidates for employees or licensees as defined in K.S.A. 74-8802, and amendments thereto, in connection with such employment or license as described in K.S.A. 74-8804, and amendments thereto, including an applicant for a simulcasting license.

(3) The Kansas bureau of investigation shall release criminal history record information related to adult convictions, adult non-convictions,

Sec. 13. (a) Anesthesiologist assistant programs or prospective training programs based in Kansas shall not accept new students prior to January 1, 2033.

(b) Only students from anesthesiologist assistant training programs established before January 1, 2020, in public universities in Kansas and Missouri may train in Kansas until January 1, 2028.

Renumber sections accordingly