

February 4, 2026

The Honorable Will Carpenter, Chairperson
House Committee on Health and Human Services
300 SW 10th Avenue, Room 112-N
Topeka, Kansas 66612

Dear Representative Carpenter:

SUBJECT: Fiscal Note for HB 2528 by House Committee on Health and Human Services

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2528 is respectfully submitted to your committee.

HB 2528 would void any board action or record created on or after January 1, 2005, but prior to July 1, 2026, that arises from disciplinary action related to statutes regarding professions regulated by the Board of Nursing. The bill would also void any alleged violation or disciplinary action resulting from statutes or rules and regulations related to professions regulated by the Board of Nursing if they occurred on or before June 30, 2026. The Board would be prohibited from reporting any voided material to any person or entity. If the Board previously provided void material, it would be required to promptly notify the entity that the agency action has been reversed and is void. If the Board fails to comply with the requirements of the bill, an individual aggrieved by a violation would have cause of action for damages if brought within two years following the violation. The provisions of the bill would not apply to deceased licensees or former licensees. Void materials would be required to be kept confidential and would not be subject to the Kansas Open Records Act. These provisions would expire on July 1, 2031. The Board would be required to publish these provisions on the front page of its website and include the section in the first two pages of the Board's newsletter in July and August 2026.

The bill would replace references to license expiration with license renewal and would require the Board to send a digital notice for renewal of every professional nurse and licensed practical nurse at least 90, 60, 30 and seven days prior to the renewal date as well as on the renewal date and seven days after the renewal date. The bill would require the renewal application to include certain contact information of the licensee. The bill would require the Board to grant renewals within one day and provide digital notification of receipt of fees and the granting of renewals. If a person fails to renew their license, the Board would be required to provide notice to the person that the license may be canceled if not renewed within 90 days. The bill specifies that the Board may charge a late renewal fee but could not cancel a license until 90 days have passed since the renewal date. The bill outlines additional correspondence the Board would be

required to make with licensees that have failed to renew by their renewal dates. The bill would add a \$300 application fee for late renewal of certain licenses.

The bill would define “unprofessional conduct” as it relates to disciplinary actions to include actions performed intentionally or carelessly and to not include behaviors unrelated to the licensee’s practice of nursing, such as failure to timely renew a license or late payment for civil debts. This provision would be applied retroactively. The bill would require a nurse with similar clinical or professional experience to investigate people charged with certain violations, would limit investigations to one year after the Board was made aware of the violation, and would prohibit closed investigations from being reopened or from being used in a new investigation. The Board would be prohibited from taking or threatening to take action against a licensee because of lawful acts undertaken in good faith by the licensee, including making certain statements and disclosing certain information. A person aggrieved by a violation of this provision would be allowed to bring an action and recover damages of at least \$10,000 and the cost of the lawsuit.

The bill would require the Governor’s appointments to be confirmed by the Senate and would prohibit a member from serving on the Board while also elected to the Office of Governor, Attorney General, or a member of the Legislature. Prior to the adoption, amendment, or repeal of any permanent rule and regulation, the Board would be required to provide at least 60 days’ notice via email of the Board’s intended action. The bill would allow the Governor to remove any member of the Board for neglect of duty, incompetence, unprofessional conduct, or any other reason permitted under law. The Board would be required to issue a refund to an applicant or licensee under reasonable circumstance, including for overpayments or duplicate payments. The bill would add that fines could be assessed for violations if such violation is proven by clear and convincing evidence, but that the Board could not assess a fine for any activity related to an initial or renewal licensure. The bill would take effect upon its publication in the statute book.

Estimated State Fiscal Effect			
	FY 2026	FY 2027	FY 2028
Expenditures			
State General Fund	--	--	--
Fee Fund(s)	--	\$1,696,263	\$1,545,000
Federal Fund	--	--	--
Total Expenditures	--	\$1,696,263	\$1,545,000
Revenues			
State General Fund	--	--	--
Fee Fund(s)	--	--	--
Federal Fund	--	--	--
Total Revenues	--	--	--
FTE Positions	--	21.00	21.00

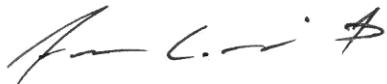
The Board of Nursing indicates enactment of the bill would increase expenditures by \$1,696,263 in FY 2027 and \$1,545,000 in FY 2028 from the Board of Nursing Fee Fund to comply with the provisions of the bill. The Board states that the enactment of the bill would require a

substantial operational change and that current staffing levels would not be sufficient to fulfill the requirements in the bill. The Board states that it would need an additional 21.00 positions across multiple divisions and agency functions. The 21.00 positions and associated expenditures are listed below:

Division/Area	Position Title	Positions	Expenditures
Investigative Division	Administrative Assistant	1.00	\$40,000
Investigative Division	Quality Assurance Nurse	1.00	\$100,000
Investigative Division	APRN Investigator	2.00	\$150,000
Investigative Division	Investigators	4.00	\$328,000
Investigative Division	Triage Nurse	1.00	\$65,000
Disciplinary	Attorney	1.00	\$86,000
Disciplinary	Administrative Assistant	1.00	\$40,000
Customer Service	Representatives	2.00	\$84,000
Licensing	Licensing Specialist II	2.00	\$100,000
Licensing	Senior Licensing Analyst	2.00	\$120,000
Licensing	Director of Licensing	1.00	\$70,000
Information Technology	IT Analyst/Help Desk	2.00	\$110,000
Information Technology	Application Analyst	1.00	\$75,000
Total		21.00	\$1,368,000

Expenditures for salaries and wages would total \$1,368,000 in both FY 2027 and FY 2028. The Board also states that it would need to lease additional office space for the 21.00 positions at an estimated cost of \$177,000 per fiscal year, beginning in FY 2027. The agency states it would also need to purchase additional onboarding equipment and technology for the positions at an estimated cost of \$151,263 (\$7,203 per position). The onboarding equipment and technology expenditures would only apply to FY 2027. As a result, the agency states enactment of the bill would increase FY 2027 expenditures by \$1,696,263 from the Board of Nursing Fee Fund (\$1,368,000 salaries and wages + \$177,000 rent + \$151,263 equipment). FY 2028 expenditures would increase by a total of \$1,545,000 from the Board of Nursing Fee Fund (\$1,368,000 salaries and wages + \$177,000 rent). The Board notes that enactment of the bill would not affect agency revenues as the majority of revenues it currently receives are from license fees and the bill would not affect the number of licensees. However, the Board notes that it would likely need to increase license fees within approximately two years to sustain the additional 21.00 positions. Any fiscal effect associated with HB 2528 is not reflected in *The FY 2027 Governor's Budget Report*.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Jill Simons, Board of Nursing