

2012 Kansas Statutes

74-7036. Practice of technical professions by business entity; conditions; application for certificate of authorization, contents, fee; renewal, conditions, fee; change of principal, reporting; liability for services performed. (a) Notwithstanding any other provision of law, a business entity may be organized for the practice of one or more of the technical professions if: (1) One or more principals is designated as responsible for the activities and decisions relating to the practice of such profession and is licensed to practice such profession by the board and is a regular employee of and active participant in the business entity; (2) each person engaged in the practice of the technical profession is licensed to practice such profession by the board or is exempt from licensure under K.S.A. 74-7031 through 74-7035, and amendments thereto, or is exempt from examination for licensure in this state under K.S.A. 74-7024, and amendments thereto; and (3) such business entity has been issued a certificate of authorization by the board.

(b) A business entity may apply to the board for a certificate of authorization, upon a form prescribed by the board, listing the names and addresses of all principals licensed to practice the technical profession and such other information as may be required by the board. The application for a certificate of authorization shall be accompanied by an application fee fixed by the board under K.S.A. 74-7009, and amendments thereto. Except as provided in subsection (e), the certificate of authorization shall be renewed biennially. The biennial renewal fee fixed by the board under K.S.A. 74-7009, and amendments thereto, shall be accompanied by a form prescribed by the board providing current information. In the event of a change of any principal, such change shall be provided to the board within 30 days after the effective date of such change.

(c) If the board finds that such business entity is in compliance with all of the requirements of this section, the board shall issue a certificate of authorization to such business entity designating the technical profession for which such business entity is authorized to provide services.

(d) No business entity issued a certificate of authorization under this section shall be relieved of responsibility for the conduct or acts of its agents, employees or principals by reason of its compliance with the provisions of this section, nor shall any individual practicing a technical profession be relieved of responsibility and liability for services performed by reason of employment or relationship with such business entity. The requirements of this section shall not affect a business entity and its employees in performing services included within the term "technical professions" solely for the benefit of such business entity or subsidiary or affiliated business entities. Nothing in this section shall exempt any business entity from the provisions of any other law applicable thereto.

(e) (1) The board is hereby authorized to issue a one-time renewal of the certificate of authorization for a business entity for a one-year period under the following conditions:

(A) The certificate of authorization is scheduled for renewal on or after December 31, 2010;

(B) the name of the business entity begins with a letter in the last half of the alphabet;

(C) the board notifies the business entity that its certificate of authorization will be renewed for one year; and

(D) the fee for renewal under this subsection shall be one-half of the biennial renewal fee set forth in K.S.A. 74-7009, and amendments thereto.

(2) Any certificate of authorization which has been renewed for a period of one year in accordance with this subsection shall be subsequently renewed on a biennial basis as prescribed by K.S.A. 74-7001 et seq., and amendments thereto.

(3) No certificate of authorization shall be renewed for a period of one year on or after January 1, 2012.

History: L. 1980, ch. 244, § 1; L. 1992, ch. 240, § 25; L. 2009, ch. 94, § 13; July 1.