

**HOUSE BILL No. 2045**

By Committee on Health and Human Services

1-12

1 AN ACT concerning the state board of healing arts; institutional licenses;  
2 amending K.S.A. 2016 Supp. 65-2895 and repealing the existing  
3 section.  
4

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

6 Section 1. K.S.A. 2016 Supp. 65-2895 is hereby amended to read as  
7 follows: 65-2895. (a) There is hereby created an institutional license which  
8 may be issued by the board to a person who:

9 (1) Is a graduate of an accredited school of medicine or osteopathic  
10 medicine or a school which the graduates have been licensed in another  
11 state or states ~~which~~ *that* have standards similar to Kansas;

12 (2) has completed at least two years in a postgraduate training  
13 program in the United States approved by the board; and

14 (3) who is employed as provided in this section.

15 (b) Subject to the restrictions of this section, the institutional license  
16 shall confer upon the holder the right and privilege to practice medicine  
17 and surgery and shall obligate the holder to comply with all requirements  
18 of such license.

19 (c) The practice privileges of institutional license holders are  
20 restricted and shall be valid only during the period in which:

21 (1) The holder is employed by any institution within the Kansas  
22 department for aging and disability services, employed by any institution  
23 within the department of corrections or employed pursuant to a contract  
24 entered into by the Kansas department for aging and disability services or  
25 the department of corrections with a third party, and only within the  
26 institution to which the holder is assigned; and

27 (2) the holder has been employed for at least three years as described  
28 in subsection (c)(1) and is employed to provide mental health services in  
29 Kansas in the employ of a Kansas licensed community mental health  
30 center, or one of its contracted affiliates, or a federal, state, county or  
31 municipal agency, or other political subdivision, or a contractor of a  
32 federal, state, county or municipal agency, or other political subdivision,  
33 or a duly chartered educational institution, or a medical care facility licensed  
34 under K.S.A. 65-425 et seq., and amendments thereto, in a psychiatric  
35 hospital licensed under K.S.A. 75-3307b, and amendments thereto, or a  
36 contractor of such educational institution, medical care facility or

1 psychiatric hospital, and whose practice, in any such employment, is  
2 limited to providing mental health services, is a part of the duties of such  
3 licensee's paid position and is performed solely on behalf of the employer;  
4 *or*

5 (3) *the holder was issued an institutional license prior to May 9,*  
6 *1997, and is providing mental health services pursuant to a written*  
7 *protocol with a person who holds a Kansas license to practice medicine*  
8 *and surgery other than an institutional license.*

9 (d) An institutional license shall be canceled on the date established  
10 by rules and regulations of the board which may provide for renewal  
11 throughout the year on a continuing basis. In each case in which an  
12 institutional license is renewed for a period of time of more or less than 12  
13 months, the board may prorate the amount of the fee established under  
14 K.S.A. 65-2852, and amendments thereto. The request for renewal shall be  
15 on a form provided by the board and shall be accompanied by the  
16 prescribed fee, which shall be paid not later than the renewal date of the  
17 license. An institutional license may be renewed for an additional one-year  
18 period if the applicant for renewal meets the requirements under  
19 subsection (c), has submitted an application for renewal on a form  
20 provided by the board, has paid the renewal fee established by rules and  
21 regulations of the board of not to exceed \$500 and has submitted evidence  
22 of satisfactory completion of a program of continuing education required  
23 by the board. In addition, an applicant for renewal who is employed as  
24 described in subsection (c)(1) shall submit with the application for renewal  
25 a recommendation that the institutional license be renewed signed by the  
26 superintendent of the institution to which the institutional license holder is  
27 assigned.

28 (e) Nothing in this section shall prohibit any person who was issued  
29 an institutional license prior to the effective date of this section from  
30 having the institutional license reinstated by the board if the person meets  
31 the requirements for an institutional license described in subsection (a).

32 (f) This section shall be a part of and supplemental to the Kansas  
33 healing arts act.

34 Sec. 2. K.S.A. 2016 Supp. 65-2895 is hereby repealed.

35 Sec. 3. This act shall take effect and be in force from and after its  
36 publication in the statute book.