

BOARD OF NURSING

FY 2023 – FY 2025 BUDGET ANALYSIS

FIGURE 1
BUDGET OVERVIEW, FY 2023 – FY 2025

	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
Operating Expenditures:					
State General Fund	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	-	225,000	225,000	-	-
All Other Funds	3,518,932	4,072,944	4,072,944	4,013,541	4,013,541
<i>Subtotal</i>	<u>\$ 3,518,932</u>	<u>\$ 4,297,944</u>	<u>\$ 4,297,944</u>	<u>\$ 4,013,541</u>	<u>\$ 4,013,541</u>
Capital Improvements:					
State General Fund	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	-	-	-	-	-
All Other Funds	-	-	-	-	-
<i>Subtotal</i>	<u>\$ -</u>				
TOTAL	<u>\$ 3,518,932</u>	<u>\$ 4,297,944</u>	<u>\$ 4,297,944</u>	<u>\$ 4,013,541</u>	<u>\$ 4,013,541</u>
Percentage Change:					
State General Fund	-- %	-- %	-- %	-- %	-- %
All Funds	4.1 %	22.1 %	22.1 %	(6.6) %	(6.6) %
FTE Positions	27.0	27.0	27.0	27.0	27.0

The Board of Nursing was created in 1913 to regulate the practice of nursing by maintaining licensure of covered classes, surveying schools, and conducting disciplinary activities. The Board consists of 11 members appointed by the Governor, each serving a four-year term. As required by law, six Board members are registered professional nurses, two are licensed practical nurses, and three are members of the public. The following three divisions assist in facilitating the responsibilities of the agency.

LICENSING DIVISION. The Board’s Licensing Division evaluates nursing schools and maintains the licensure of practical nurses, registered nurses, advanced practice registered nurses, registered nurse anesthetists, and mental health technicians.

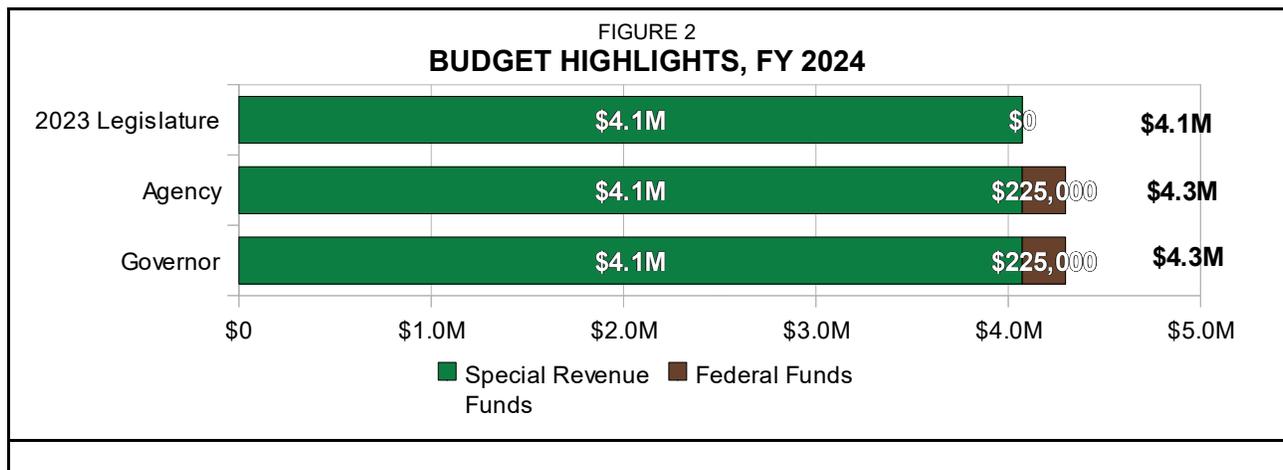
EDUCATION DIVISION. The Board’s Education Division is tasked with developing stronger ties with professional organizations and nurses across Kansas by providing staff for speaking engagements, setting up information booths at conventions, and conducting presentations about nursing regulation to nursing students. In addition, the Board is responsible for reviewing and approving continuing education providers and programs for its licensees, and it accredits schools that meet the Board’s rules and regulations.

LEGAL DIVISION. The Board’s Legal Division investigates complaints concerning unlawful practices and may, after hearings, suspend or revoke a practitioner’s license. The Board also may discipline licensees who violate the Kansas Nurse Practice Act by classifying the violation, investigating actionable categories, and disposing of cases accordingly.

- STATUTORY BASIS:** • License requirements are governed by KSA 65-1115 (registered nurses); KSA 65-1116 (licensed practical nurses); KSA 65-1130 (advanced practice registered nurses); and KSA 65-1152 (registered nurse anesthetists)
- PROGRAM GOALS:** • Provide licenses and renewal licenses to eligible practical nurses, registered nurses, advanced practice registered nurses, registered nurse anesthetists, and mental health technicians.
- Issue licenses to practice or authorization to practice within three business days after receipt of all required information 95 percent of the time.
 - Review and approve continuing education providers and programs that meet the Board's rules and regulations.
 - Oversee the nursing programs, which includes surveying each nursing program once every five to ten years.
 - Review complaints received in the agency for possible violations of the Nurse Practice Act and assign a priority within two weeks of date received.

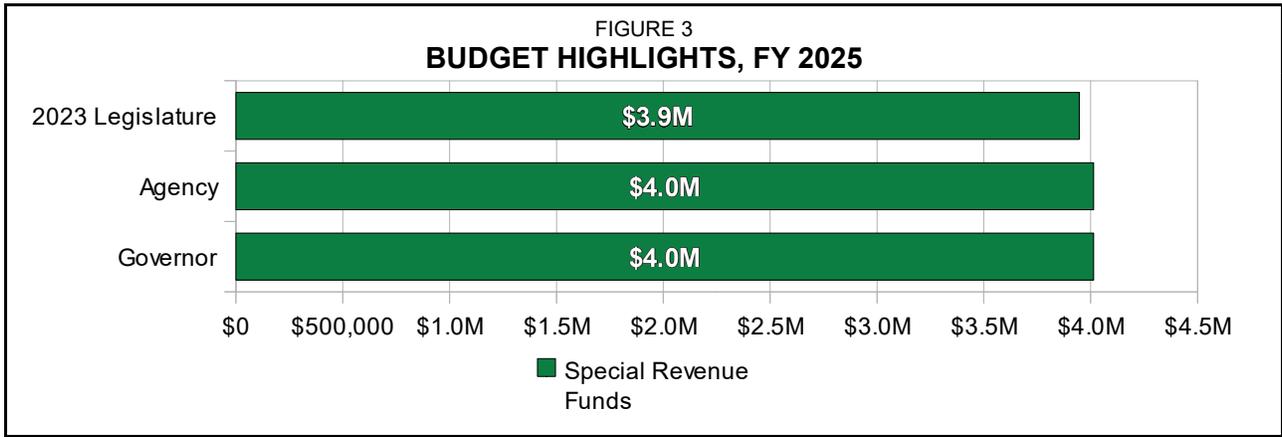
EXECUTIVE SUMMARY

The 2023 Legislature approved a budget of \$4.1 million, all from special revenue funds, in expenditures and 27.0 FTE positions for the Board of Nursing in FY 2024.



The agency submits a revised estimate of \$4.3 million, all from special revenue funds, in expenditures and 27.0 FTE positions in FY 2024. This is an increase of \$225,000, or 5.5 percent, above the FY 2024 approved amount. The increase is due to the agency receiving \$225,000 in federal funds through the American Rescue Plan Act (ARPA) to help with the costs associated with upgrading licensing software.

The **Governor** concurs with the agency's revised request in FY 2024.



The **agency** requests \$4.0 million, all from special revenue funds, in expenditures and 27.0 FTE positions for FY 2025. This is an increase of \$66,420, or 1.7 percent, above the FY 2025 approved amount. The increase is due to the agency's enhancement request for \$66,420 to fund the state employee pay increases in FY 2025 that were authorized by the 2023 legislature.

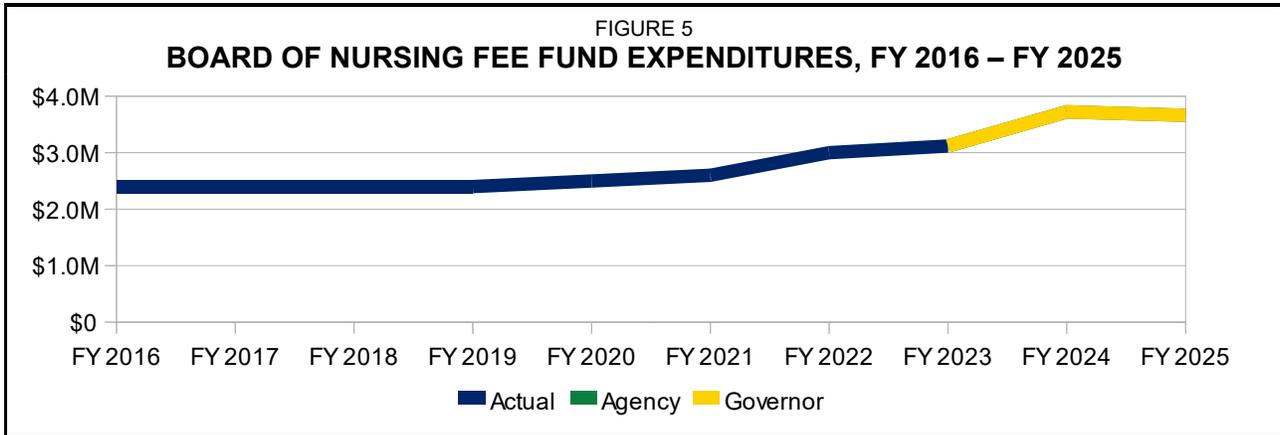
The **Governor** concurs with the agency's revised estimate for FY 2025.

EXPENDITURES AND FINANCING

FIGURE 4
BUDGET SUMMARY BY CATEGORY OF EXPENDITURE, FY 2023 – FY 2025

Category of Expenditure:	Actual FY 2023	Agency FY 2024	Governor FY 2024	Agency FY 2025	Governor FY 2025
Salaries and Wages	\$ 1,889,858	\$ 2,259,063	\$ 2,259,063	\$ 2,252,725	\$ 2,252,725
Contractual Services	1,288,172	2,003,281	2,003,281	1,621,016	1,621,016
Commodities	22,561	17,100	17,100	20,300	20,300
Capital Outlay	318,341	18,500	18,500	119,500	119,500
Debt Service Interest	-	-	-	-	-
<i>Subtotal</i>	<u>\$ 3,518,932</u>	<u>\$ 4,297,944</u>	<u>\$ 4,297,944</u>	<u>\$ 4,013,541</u>	<u>\$ 4,013,541</u>
Aid to Local Units	-	-	-	-	-
Other Assistance	-	-	-	-	-
<i>Subtotal—Operating</i>	<u>\$ 3,518,932</u>	<u>\$ 4,297,944</u>	<u>\$ 4,297,944</u>	<u>\$ 4,013,541</u>	<u>\$ 4,013,541</u>
Capital Improvements	-	-	-	-	-
Debt Service Principal	-	-	-	-	-
TOTAL	<u>\$ 3,518,932</u>	<u>\$ 4,297,944</u>	<u>\$ 4,297,944</u>	<u>\$ 4,013,541</u>	<u>\$ 4,013,541</u>
Financing:					
State General Fund	\$ -	\$ -	\$ -	\$ -	\$ -
Federal Funds	-	225,000	225,000	-	-
All Other Funds	3,518,932	4,072,944	4,072,944	4,013,541	4,013,541
TOTAL	<u>\$ 3,518,932</u>	<u>\$ 4,297,944</u>	<u>\$ 4,297,944</u>	<u>\$ 4,013,541</u>	<u>\$ 4,013,541</u>
FTE Positions	27.0	27.0	27.0	27.0	27.0

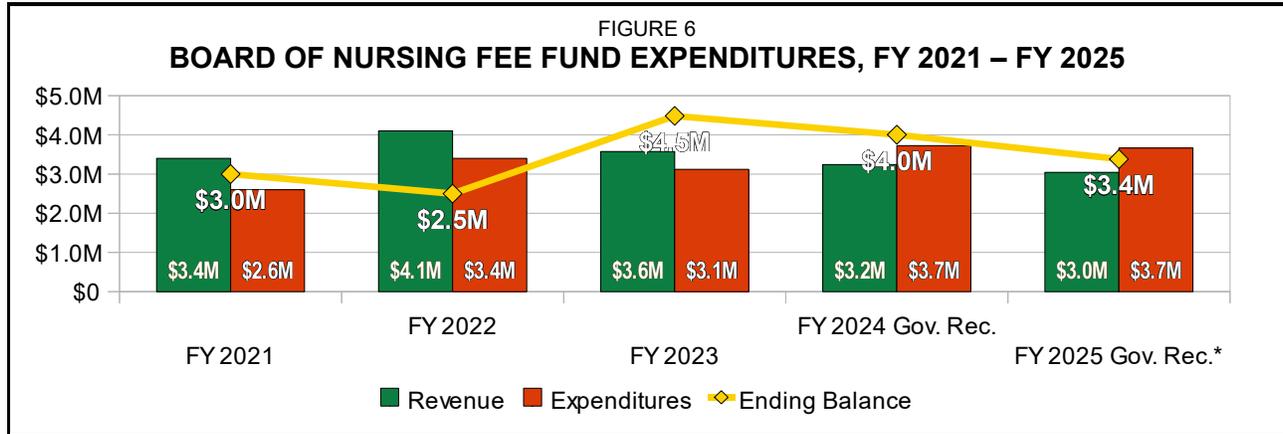
BOARD OF NURSING FEE FUND



The Board is responsible for examining, licensing, and renewing licenses of qualified nurse applicants and conducting hearings upon charges for limitation, suspension, or revocation of a license. According to KSA 74-1108, the executive administrator of the Board can levy fees, charges, or penalties for these services. KSA 74-1106 authorizes the Board of Nursing to apply for and receive grant funds, as well as receive donations, bequests, and gifts. KSA 75-3170a(a) provides that 90.0 percent of incoming revenue is retained by the agency and 10.0 percent is deposited into the State General Fund (SGF), up to a maximum of \$100,000 per fiscal year per fund.

Increased expenditures for FY 2024 and FY 2025 from the Board of Nursing Fee Fund are largely due to salary increases for state employees as passed by the 2022 and 2023 Legislatures, as well as increased funding for a three-year IT plan to upgrade licensing software.

BOARD OF NURSING FEE FUND



* For FY 2025, the lowest month ending balance for the Board of Nursing Fee Fund will occur in July, with a balance of \$3.4million.

The Board of Nursing Fee Fund ending balance is anticipated to decrease by \$1.1 million from FY 2023 to FY 2025. Revenues are anticipated to decrease between FY 2022 and FY 2025 due to more states joining the Nurse Licensure Compact and the agency losing licensure renewals from nurses residing in those states.

FIGURE 7
LICENSE FEES, FY 2024

License	Current Fee	Statutory Limit	Authority
Advanced Practice Registered Nurse	\$ 50	\$ 50	KSA 65-1118
Registered Nurse Anesthetist	75	75	KSA 65-1118
Registered Nurse (single state)	100	150	KSA 65-1118
Registered Nurse (multi-state)	125	300	KSA 65-1118
Practical Nurse (single state)	75	100	KSA 65-1118
Practical Nurse (multi-state)	125	300	KSA 65-1118
Mental Health Technician	50	50	KSA 65-4208

FY 2024 ANALYSIS

FIGURE 8

SUMMARY OF BUDGET REQUEST, FY 2024

	SGF	All Funds	FTE
Legislative Approved:			
Amount Approved by 2023 Legislature	\$ -	\$ 4,072,944	27.0
1. No Changes	-	-	--
<i>Subtotal—Legislative Approved</i>	\$ -	\$ 4,072,944	27.0
Agency Revised Estimate:			
Supplemental Requests:			
2. No Supplemental Requests	-	-	--
<i>Subtotal—Supplemental Requests Only</i>	\$ -	\$ -	--
3. Licensing Software Upgrade	-	225,000	--
<i>Subtotal—Agency Revised Estimate</i>	\$ -	\$ 4,297,944	27.0
Governor’s Recommendation:			
4. No Changes	-	-	--
TOTAL	\$ -	\$ 4,297,944	27.0

LEGISLATIVE APPROVED

The 2023 Legislature approved a budget of \$4.1 million, all from special revenue funds, in expenditures and 27.0 FTE positions for the Board of Nursing for FY 2024.

1. **NO CHANGES.** Subsequent to the 2023 Session, no adjustments were made to the \$4.1 million appropriated to the Board of Nursing for FY 2024.

AGENCY ESTIMATE

The **agency** requests a revised estimate of \$4.3 million, all from special revenue funds, in expenditures and 27.0 FTE positions in FY 2024. This is an increase of \$225,000, or 5.5 percent, above the FY 2024 approved amount and no change in the number of FTE positions.

The revised estimate includes the following adjustments:

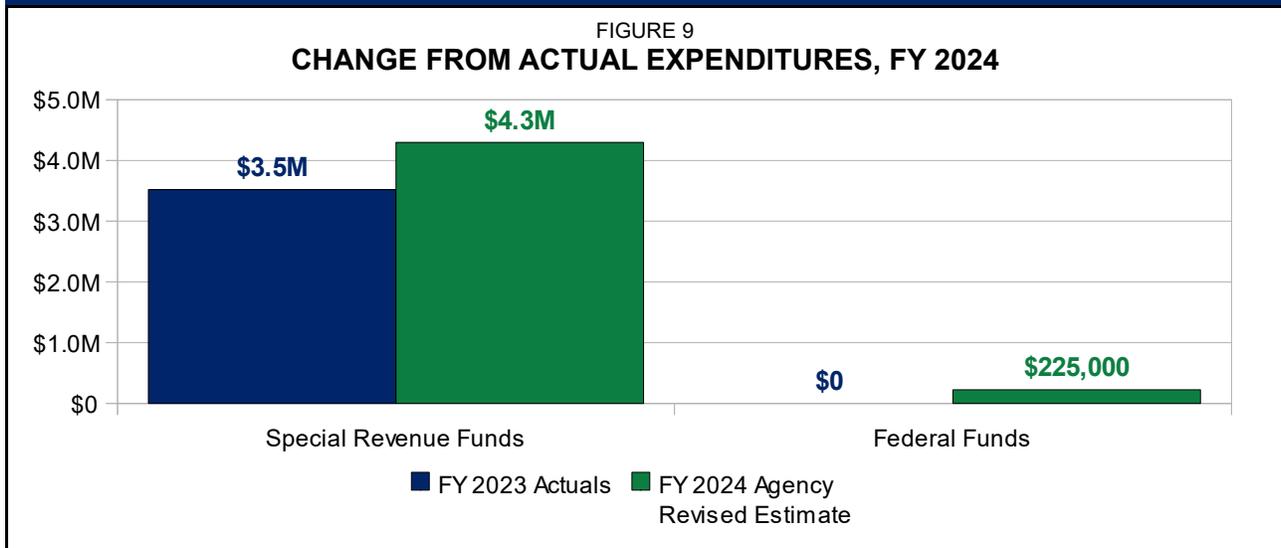
2. **NO SUPPLEMENTAL REQUESTS.** The agency did not request any supplemental expenditure authority in FY 2024.
3. **LICENSING SOFTWARE UPGRADE.** The agency received \$225,000, all federal funds, to upgrade the current licensing software to be more compatible with the increasing number of applicants who are applying for licensure using mobile devices, and to prepare for a multi-phased upgrade approach. Upgrades include reinforced security, adjustments to improve workflow and streamline the process for licensees, and increased visibility of data and reports to allow increased project management oversight.

GOVERNOR’S RECOMMENDATION

The **Governor** concurs with the agency’s revised estimate in FY 2024.

4. **NO CHANGES.** The Governor does not recommend any changes to the agency’s FY 2024 revised estimate.

FY 2024 CHANGE FROM ACTUAL EXPENDITURES



The **agency** estimates revised expenditures of \$4.3 million, all from special revenue funds, in FY 2024. This is an increase of \$779,012, or 22.1 percent, above FY 2023 actual expenditures. This is due to the agency spending \$160,061 less than the approved amount in FY 2023, as well as increased contractual expenditures as the agency implements its licensing software upgrade. Other reasons for the increase include increased expenditures for salaries and wages in FY 2024 due to the state employee pay increase implemented by the 2023 Legislature and unfilled positions in FY 2023.

FY 2025 ANALYSIS

FIGURE 10

SUMMARY OF BUDGET REQUEST, FY 2025

	SGF	All Funds	FTE
Agency Revised Estimate*:			
Request without Major Changes	\$ -	\$ 3,947,121	27.0
Enhancement Requests:			
1. Pay Plan Shortfall	-	66,420	--
<i>Subtotal—Enhancement Requests Only</i>	\$ -	\$ 66,420	--
2. No Other Changes	-	-	--
<i>Subtotal—Agency Request</i>	\$ -	\$ 4,013,541	27.0
Governor’s Recommendation:			
3. No Changes	-	-	--
TOTAL	\$ -	\$ 4,013,541	27.0

* *Staff Note:* The 2023 Legislature approved a budget of \$3.9 million, all from special revenue funds, and 27.0 FTE positions for FY 2025.

AGENCY REQUEST

The **agency** requests \$4.0 million, all from special revenue funds, for expenditures and 27.0 FTE positions for FY 2025. This is an increase of \$66,420, or 1.7 percent, due to the agency's enhancement request to continue the pay plan implemented by the FY 2023 legislature in FY 2025.

The request includes \$66,420 for the following enhancement requests:

1. **PAY PLAN SHORTFALL.** The request includes \$66,420 from the Board of Nursing Fee Fund for FY 2025 to account for an increase in expenditure limitations that was inadvertently left out of the Legislative Pay Plan in 2023 SB 25. This adjustment would achieve the intended effect of the pay plan and does not represent a substantive change from the salary adjustments approved by the 2023 Legislature.
2. **NO OTHER CHANGES.** The agency did not include any other changes in their FY 2025 revised request.

GOVERNOR’S RECOMMENDATION

The **Governor** concurs with the agency's request for FY 2025.

3. **NO CHANGES.** The Governor does not recommend any changes to the agency's FY 2025 request.

SUPPLEMENTAL AND ENHANCEMENT REQUESTS

FIGURE 11 SUPPLEMENTAL AND ENHANCEMENT REQUESTS, FY 2024 – FY 2025						
Request	SGF	Agency All Funds	FTE	SGF	Governor All Funds	FTE
FY 2025 Enhancements:						
1. Pay Plan Shortfall	\$ -	\$ 66,420	-	\$ -	\$ 66,420	-

1. **PAY PLAN SHORTFALL.** The request includes \$66,420 from the Board of Nursing Fee Fund for FY 2025 to account for an increase in expenditure limitations that was inadvertently left out of the Legislative Pay Plan in 2023 SB 25. This adjustment would achieve the intended effect of the pay plan and does not represent a substantive change from the salary adjustments approved by the 2023 Legislature.

The Governor recommends adoption of this request.

NURSING LICENSURE COMPACT

The 2018 Legislature passed HB 2496, which established provisions for the implementation of the Nursing Licensure Compact. This classified the traditional license for professional nurses and practice nurses as a single-state license and created a new category of licensure for multi-state applicants.

The bill also increased the statutory limit for the application fee for a professional nurse license from \$75 to \$150, the application fee for a practice nurse license from \$50 to \$100, and the biennial license renewal fee for professional nurses and practical nurses from \$60 to \$120. In addition, it increased the statutory limit for license reinstatement fees from \$70 to \$150, and increased the statutory limit on the license reinstatement fee for a temporary permit from \$100 to \$175. In addition, the bill set the statutory limit for a multi-state license application fee for a professional nurse or practice nurse at \$300, set the statutory limit for the biennial renewal fee for a multi-state license for professional nurses and practical nurses at \$200, and set the statutory limits for reinstatement fees for multi-state licenses and multi-state licenses with temporary permits at \$300.

K-TRACS

K-TRACS is the prescription drug monitoring program for the State of Kansas. Established by KSA 65-1683, it is used by prescribers and pharmacists to promote patient safety through prevention of prescription drug misuse, abuse, and diversion. Pharmacies are required to report the controlled substances and other drugs of concern they dispense to K-TRACS on a daily basis.

K-TRACS is administered by the Board of Pharmacy, but the Board of Nursing has provided funding through a transfer from the Board of Nursing Fee Fund. Recent budgetary adjustments include:

- The 2017 Legislature approved transfers of \$36,000 in FY 2018 and \$37,000 for FY 2019 from the Board of Nursing Fee Fund to the Board of Pharmacy as part of a multi-agency agreement to share costs associated with K-TRACS.
- The 2019 Legislature approved transfers of \$103,500 for FY 2020 and FY 2021 from the Board of Nursing Fee Fund to the Board of Pharmacy as part of a multi-agency plan to provide new funding for K-TRACS.
- The 2020 Legislature deleted the approved transfer of \$103,500 from the Board of Nursing Fee Fund to the Board of Pharmacy for K-TRACS in FY 2021.

The 2021 Legislature passed HB 2079, which established the Kansas Fights Addiction Act (KFA) and addresses the use of funds received from opioid litigation. The bill created the Prescription Monitoring Program (PMP) Fund for the purpose of operating the Prescription Monitoring Program (also known as K-TRACS). The bill requires that, as long as sufficient funds are available, \$200,000 will be transferred from the KFA Fund to the PMP Fund. At this time, there are no further planned transfers from the Board of Nursing Fee Fund to aid in the operation of K-TRACS.