



# Kansas Register

Scott Schwab, Secretary of State

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State of Kansas

Legislative Administrative Services

Interim Committee Schedule

The Legislative Research Department gives notice that the following legislative committees plan to meet on the dates listed below based on current information and subject to change. Requests for accommodation to participate in committee meetings should be made at least two working days in advance of the meeting by contacting Legislative Administrative Services at 785-296-2391 or TTY 711, or email legserv@las.ks.gov.

Date	Room	Time	Committee	Agenda
Aug. 19	144-S	10:00 a.m.	Joint Committee on Information Technology	Quarterly Project Report Summary; Legislative IT Project update; Judicial IT Project update; Legislative Division of Post Audit IT Security Audits of Board of Indigents' Defense Services, State Treasurer's Office, and Pooled Money Investment Board (limited scope).
Aug. 26	548-S	9:00 a.m.	Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight	Presentations on KanCare from individuals, providers, and organizations; KanCare Ombudsman report; Medicaid Inspector General report; KanCare Meaningful Measures Collaborative update; Responses from State agencies and Managed Care Organizations (MCOs) on unresolved issues; Brain Injury Waiver delays; Assessment and Person-Centered Service Plan Development for Home and Community Based Services (HCBS) Waiver Services and Centers for Medicare and Medicaid Services Conflict of Interest Ruling.

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DSCSA: The Board anticipates minimal economic impact to the Board, its licensees and registrants, or Kansas-registered pharmacies. Amendments will enhance business activity related to the manufacture, distribution, and compounding of prescription drugs and devices by allowing these facilities to more readily transact business with Kansas. The regulations are also designed to maintain necessary public protection mechanisms within these facilities and ensure compliance with recognized pharmacy standards. Registration and renewal application fees have been set in a separate regulation. However, fees should have a null effect on revenue and expense because the Board is merely shifting registrants from one registration category to another. The Board does not anticipate any financial impact upon other governmental agencies, and the Board is unaware of any less costly or less intrusive methods to achieve the stated purposes.

**Cessation of Operations:** The Board anticipates minimal economic impact to the Board, its licensees and registrants, or Kansas-registered pharmacies. Any economic impact would be specifically related to the closing pharmacy's new responsibility to notify patients of the closure and the disposition of patient records. Pharmacies are already required to maintain patient records for five years and, upon closure, are required to secure another pharmacy buyer or a permanent storage location for the files. The only new component is a notification to the patient about the disposition of the patient record. Notification may be made by mail or email, the economic effect of which may include the cost of paper, envelopes, and postage. This cost would be allocated to the closing pharmacy.

**K-TRACS Interstate Data Sharing:** The Board anticipates no economic impact to the Board, its licensees and registrants, or any Kansas citizen/business. The Board has data sharing capabilities and will merely expand to these other entities. If there is any economic impact, it would be related to increased data sharing and increased program utilization which could positively benefit the health of patients and Kansans. Such impact is unquantifiable.

**Other Regulations:** No economic impact.

For a more detailed summary of the economic impact each specific regulation may have, see the Economic Impact Statements, provided at the website above.

Alexandra Blasi  
Executive Secretary

Doc. No. 047413

State of Kansas

Department of Health and Environment

Notice of Hearing on Proposed  
Administrative Regulation

The Kansas Department of Health and Environment (KDHE), Division of Public Health, Bureau of Family Health, will conduct a public hearing at 10:00 a.m. Thursday, October 31, 2019, in Room 530, Curtis State Office Building, 1000 SW Jackson, Topeka, Kansas, to consider the adoption of proposed new maternal and child health

regulation K.A.R. 28-4-133, reporting of critical incidents at day care homes, group day care homes, child care centers, and preschools.

A summary of the proposed regulation and estimated economic impact follows:

**Summary of Regulations:**

**K.A.R. 28-4-133. Reporting critical incidents.** This regulation requires licensees to notify parents immediately in the case of a critical incident, expanding the existing notification requirements in K.A.R. 28-4-127(e)(2) pertaining to illnesses and injuries. It includes a list of critical incidents such as fires, vehicle collision, missing child, injuries requiring medical attention or death of a child. It also includes a requirement that licensees submit written reports of these critical incidents by the next working day to the Kansas Department of Health and Environment, on a form provided by KDHE.

**Economic Impact:**

**Cost to the agency:** The proposed regulation will enable KDHE to meet a federal requirement of the Child Care Development Grant Act of 2014 (Pub. L. 113-186). The Child Care Development Fund (CCDF) block grant Final Rule, 45 CFR §98.33, pertaining to consumer education, requires states to provide parents and the public online access to information concerning the aggregate number of serious injuries and deaths in licensed facilities through a consumer website. This is consistent with K.S.A. 65-534, which requires KDHE to maintain an online information dissemination system accessible to the public. Consumer education, including web-based access to information, is an important tool to help parents make informed child care choices. KDHE will track reports of critical incidents received from licensees in the KDHE Child Care Licensing System (CLARIS). Costs to KDHE include entry, review and tracking of data. Costs will be absorbed in the ongoing KDHE budget.

**Cost to licensees:** The proposed regulation requires licensees to notify parents immediately after a critical incident. There are no implementation or compliance costs to licensees for notifications to parents. Licensees will also complete and submit a written report of each critical incident to KDHE. The report form will be provided by KDHE. Depending on the complexity of the critical incident, it is estimated to take the licensee or individual designated by the licensee approximately 15 minutes or less to complete and submit. The estimated cost to complete one report is \$3.20. This cost is based on an average of the hourly wages for a day care home/group day care home licensee and a child care center/preschool program director. The annual cost to licensees will vary depending on the hourly wage of the individual completing the form and the number of reportable incidents in a year. KDHE accepts the completed form by email, fax, or regular mail. Future enhancements to CLARIS may allow web-based submission of a report.

**Costs to other governmental agencies or units:** The proposed regulation applies to local units of government, including cities, counties, and unified school districts that operate a licensed child care facility. For those licensees, there are no implementation or compliance costs for notifications to parents following a critical incident. Licensees

ees will also complete and submit a report of each critical incident to KDHE. Depending on the complexity of the critical incident it is estimated to take the licensee or individual designated by the licensee approximately 15 minutes or less to complete and submit. The estimated cost to complete one report is \$3.20.

The time period between the publication of this notice and the scheduled hearing constitutes a 60-day public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to 5:00 p.m. on the day of the hearing to Amber Sellers, Kansas Department of Health and

Environment, Bureau of Family Health, Administration and Policy, 1000 SW Jackson, Suite 200, Topeka, KS 66612-1274, by email to Amber.Sellers@ks.gov, or by fax to 785-559-4244. During the hearing, all interested parties will be given a reasonable opportunity to present their views orally on the proposed regulation as well as an opportunity to submit their written comments. It is requested that each individual giving oral comments also provide a written copy for the record. In order to give each individual an opportunity to present their views, it may be necessary for the hearing officer to request that each presenter limit an oral presentation to an appropriate time frame.

Complete copies of the proposed regulation and the corresponding economic impact statement may be obtained from the KDHE Child Care Licensing website, at <http://www.kdheks.gov/bcclr/index.html> or by contacting Amber Sellers at Amber.Sellers@ks.gov, 785-296-8238, or fax 785-559-4244. Questions pertaining to the proposed regulation should be directed to Amber Sellers at the contact information above.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and the economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Amber Sellers.

Lee A. Norman, M.D.  
Secretary

Doc. No 047412

## State of Kansas

### Board of Nursing

#### Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 10:00 a.m. Friday, November 1, 2019, in Room 1051 of the Landon State Office Building, 900 SW Jackson, Topeka, Kansas, to consider the adoption of proposed changes in three existing regulations relating to intravenous fluid therapy for Licensed Practical Nurses.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulations. All interested parties may submit written comments prior to the hearing to the Executive Administrator of the Kansas

State Board of Nursing, 900 SW Jackson, St., Room 1051, Topeka, KS 66612 or by email to [carol.moreland@ks.gov](mailto:carol.moreland@ks.gov). All interested parties will be given a reasonable opportunity to present their views orally regarding the adoption of the proposed regulations during the public hearing. Phone comments will be taken by calling 1-877-278-8686 (access code 575578) at the time of the hearing. In order to provide all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes.

Any individual with a disability may request an accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Carol Moreland at 785-296-3068. The north entrance to the Landon State Office Building is handicapped accessible. Handicapped parking is located at the north end of the Landon State Office Building, across the street from the north entrance to the building, and on Ninth Street, just around the corner from the north entrance to the building.

A summary of the proposed regulations and the economic impact follows. A copy of the proposed regulations and associated economic impact statement may be obtained by accessing the Kansas State Board of Nursing website at <https://ksbn.kansas.gov> or by contacting the Executive Administrator of the Kansas State Board of Nursing, Landon State Office Building, 900 SW Jackson St., Room 1051, Topeka, KS 66612, 785-296-5752, or [carol.moreland@ks.gov](mailto:carol.moreland@ks.gov) prior to the date of the hearing.

**K.A.R. 60-16-101. Definitions.** The proposed revision adds the definition of a clock-hour in an intravenous therapy course, IV and a stand-alone intravenous therapy course. The language was changed in the following definitions: calculating, evaluation and monitoring. There is no economic impact of this proposed regulation for businesses that offer intravenous therapy courses.

**K.A.R. 60-16-103. Stand-alone course approval procedure; competency examinations; recordkeeping.** The proposed revision adds language for the approval procedure for a stand-alone intravenous therapy course offered. Language has been added that lists the requirements the stand-alone course and course coordinator shall meet. It adds language about the facility in which skills practice and competency occurs and the need for a signed, written agreement between the provider and each affiliating health care facility. Language has been added that describes the duties of the stand-alone course coordinator relating to documentation of course completion. There is no economic impact of this proposed regulation for businesses that offer stand-alone intravenous therapy courses.

**K.A.R. 60-16-104. Standards for course and program curriculum content.** The proposed regulation adds language regarding the requirements when an intravenous therapy course is provided as part of a practical nursing program's curriculum. Language has been added that lists the topics of instruction that must be included when

(continued)

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