

KANSAS BOARD OF HEALING ARTS

LAWRENCE T. BUENING, JR.
EXECUTIVE DIRECTOR



KATHLEEN SEBELIUS, GOVERNOR

MEMO

TO: House Committee on Health and Human Services

FROM: Lawrence T. Buening, Jr.
Executive Director

DATE: February 14, 2005

RE: **H.B. No. 2330**

Thank you for the opportunity to appear before you on behalf of the State Board of Healing Arts in support of H.B. No. 2330. The changes in the dates from July 1, 2005 to October 1, 2005 were incorporated into this bill at the Board's request and with the assistance of the Revisor's office.

Substitute for H.B. 2698 was passed by the Legislature toward the end of the 2004 after considerable work among all interested parties. It was not approved by the Governor until April 14, 2004. All provisions of the original H.B. No. 2698 would have gone into effect July 1, 2004. This effective date would not have provided the Board with adequate time to adopt the necessary rules and regulations and create the required forms in order to implement the licensing process. Therefore, the Board requested that required licensing be extended to July 1, 2005. As a result, four sections of the bill became effective July 1, 2004 (65-7301, 7310, 7311 and 7312). One section (65-7315) became effective July 1, 2004, but specifically provides that violation of the act would not constitute a misdemeanor until July 1, 2005. The other 10 sections of the bill provided that they would not become effective until July 1, 2005.

K.S.A. 65-7303 requires that individuals be licensed by July 1, 2005 in order to perform radiologic technology procedures. To license individuals by July 1, 2005, it is necessary that applications be totally complete, including the payment of the application fee, and be received in the Board office prior to that date. Unfortunately, K.S.A. 65-7305, describing the process for filing an application, does not go into effect until July 1, 2005. Although K.S.A. 65-7312 allows the Board to adopt rules and regulations prior to July 1, 2005, K.S.A. 65-7308 authorizing the Board to charge and collect fees in advance and to establish the amount of the fees by rules and regulations does not become effective until July 1, 2005. Also, K.S.A. 65-7309, requiring the Board to remit fees received to the state treasurer does not go into effect until July 1, 2005.

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We have worked with the Revisor's office to correct the situations created when Substitute for H.B. No. 2698 was originally enacted. As a result, the dates have been changed from July 1, 2005 to October 1, 2005 in K.S.A. 65-7303(a) (Page 1, line 15); 65-7303(f) (Page 2, line 21); 65-7310(c) (Page 4, line 9); 65-7314(b) (page 4, line 28) and 65-7515 (Page 4, line 30).

The Board is on schedule to be able to start issuing licenses to between 3000 and 3300 individuals from after July 1, 2005. The Radiologic Technology Council has met on three occasions and six rules and regulations have been presented to the Department of Administration for approval. These are:

- 100-73-1. Fees.
- 100-73-2. Expiration of license.
- 100-73-3. Criteria for approval of programs.
- 100-73-4. Examinations.
- 100-73-5. Application.
- 100-73-6. Unprofessional conduct; defined.

The Board urges this Committee to recommend H.B. No. 2330 favorably for passage so that the Board can continue to proceed with the steps necessary to license individuals as radiologic technologists in strict conformity with the statutes. Thank you again for allowing me to testify in support of H.B. No. 2330. I would be happy to respond to any questions.