

Approved: February 18, 2008  
Date

## MINUTES OF THE HOUSE GOVERNMENT EFFICIENCY AND TECHNOLOGY COMMITTEE

The meeting was called to order by Chairman Jim Morrison at 3:42 P.M. on February 12, 2008, in Room 526-S of the Capitol.

All members were present except Representatives Kelley, King, McLeland, Tapanelli, Wilk, Frownfelter, Holland, Mah, and Ruiz, all of whom were excused.

### Committee staff present:

Mary Galligan, Kansas Legislative Research Department  
Jennifer Thierer, Kansas Legislative Research Department  
Rena Jefferies, Office of Revisor of Statutes  
Gary Deeter, Committee Assistant

### Conferees appearing before the committee:

Mary Blubaugh, Executive Administrator, Kansas State Board of Nursing

### Others attending:

See attached list.

The Chair welcomed Mary Blubaugh, Executive Administrator, Kansas State Board of Nursing, who outlined the duties and procedures of the Board (Attachment 1). She said the 11-member Board was created by statute in 1913; licensing of Licensed Practical Nurses was added in 1949, Licensed Mental Health Technicians in 1973, and Advanced Registered Nurse Practitioners were placed under the Board in 1984. Currently licensing 38,000 RNs, each year the Board issues about 2500 nursing licenses by examination (National Council Licensure Examination) and 1900 by endorsement. She stated that the Board also approves nursing schools (currently 42 in Kansas) and continuing education providers.

Ms. Blubaugh traced the complaint process, noting that the Board has five full-time investigators, two Assistant Attorneys General (AAG), one Practice Specialist, and two administrative assistants. She said the goal is to resolve complaints within nine months; however, 61% of the current cases have been open over nine months. With the addition of a fifth investigator, the goal is to complete 80% of the cases by the end of FY 2009. She explained that a complaint may be resolved in several ways. If the review by the professional staff indicates no violation of the Nursing Act, no case is opened. After a case is opened and the investigation completed, the staff or the investigative committee determines the next step. Most cases are inactivated or settled with a letter of agreement. In 2006 196 cases and in 2007 223 cases were sent to the AAG for disciplinary action, which is conducted according to the provisions of the Kansas Administrative Procedure Act. In CY 2006 109 unlicensed practice cases resulted in \$16,500 collected in fines; in CY 2007, 85 cases resulted in \$15,600 in fines. Fines are deposited in the State General Fund. Answering questions, Ms. Blubaugh replied that over half of the disciplinary actions involve drug or alcohol diversions.

Ms. Blubaugh said in recently years the Board has increased channels of communication with licensees and the public—through a newsletter, through a wealth of information on the Board's website, and through workshops and seminars.

## CONTINUATION SHEET

MINUTES OF THE House Government Efficiency and Technology Committee at 3:42 P.M. on February 12, 2008, in Room 526-S of the Capitol.

Ms. Blubaugh then reviewed the processes by which the Board accomplishes its mission (Attachment 2). She commented that online renewal has simplified and streamlined license renewals and enables the Board to verify licenses immediately. Since December 2004 the Board has functioned without paper; electronic processing and storage have enabled the Board to respond quickly to licensees' requests for information.

Answering questions, Ms. Blubaugh said there are still some tensions between the Board and the Kansas State Nurses Association, but the two groups have established a good working relationship. She responded that she visits nursing schools each spring and talks to about 1000 students. The Chair asked about the ongoing discussions among the Advanced Registered Nurse Practitioners, the Kansas Medical Society, and the Nurses Association. She replied that the Board of Nursing was not invited to participate.

The meeting was adjourned at 4:10 p.m. The next meeting is scheduled for Thursday, February 14, 2008.