KANSAS STATE BOARD OF HEALING ARTS: WHO WE ARE, WHAT WE DO, AND HOW WE DO IT

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Roadmap

- Overview of KSBHA
- Licensing
- General Counsel
- Disciplinary & Litigation
- COVID-19
- Resources
Mission

To protect the public by authorizing only those persons who meet and maintain certain qualifications to be licensed in the healthcare professions regulated by the Board.

To protect the public from incompetence or unprofessional conduct by persons who have been licensed to practice in Kansas and from unauthorized practice by persons and entities who have not been licensed to practice in Kansas.
Board Members

- Appointed by the Governor
- 4 year terms; 3 term limit
- 15 total members
  - 5 MDs
  - 3 DOs
  - 3 DCs
  - 1 DPM
  - 3 public members
Board Meetings

SECOND FRIDAY OF EVERY OTHER MONTH (FEB., APRIL, JUNE, AUG., OCT., DEC.)
OPEN TO THE PUBLIC, STREAMED LIVE ON YOUTUBE, TELECONFERENCE

NEXT MEETING IS APRIL 9, 2021

JOHN SETTICH, PHD. (PRESIDENT); THOMAS ESTEP, M.D. (VICE PRESIDENT)
### Who we license

<table>
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<th>License Type</th>
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<td>AT</td>
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<tr>
<td>DC</td>
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<td>MD/DO</td>
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<td>LAc</td>
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<td>CNM-I</td>
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<td>CLD</td>
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<td>CPM</td>
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Councils

- PA, PT, OT, RT, LAc, AT, LRT, CNM-I, ND
- Help carry out the provisions of the practice act
- Positions vary in appointment (Governor, Board)
- Meetings typically held quarterly or as needed
- Open to the public
KSBHA Department Overview

- Licensing
- Administration
- Disciplinary & Litigation
- General Counsel
Licensing
Licensing Department Overview

**Applications**
Initial, Renewal, Reinstatement & Conversions

**Maintenance**
Upkeep of licensee information in the agency database. Supervision notices, practice protocols, and termination of supervision

**Point of Contact**
Main point of contact throughout the application process and during the period of licensure

**License Verification**
Verification of licensure to state boards, employers, and other third parties

**Presentations**
Outreach and education presentations
Application Process

Submission of Initial Application to KSBHA

Accounting - Process of Payment

Licensing - Review of Application
(in order of date received)

Missing Items:
Missing Requirement Letter (MRL) sent by email

Legal Review

Once missing items received

Complete Application:
Goes to Specialist for Final Review. Ensures accuracy and completeness

Approved:
Issued license, permit or certificate.
- New license letter sent via email
- Agency webpage updated
- Wall certificate mailed

If items still missing
Application Guidance & Tips

Information & Documents

• Request 3rd party documents prior to or upon submission of the application
• Ensure documents are primary source received, when applicable
• Provide personal statement and supporting documents for any “yes” answers to attestation questions
• Submit documentation of name change, if more than one name is used

Application Submission

• Review all portions of the application for completeness and accuracy
• Make copies of all items submitted
• Consider submitting items via email when applicable
• Consider tracking or signature confirmation service for mailed items
• Applications will not be fully processed if fees are not included

Processing Time

• Allow at least 2 weeks to receive notification that the application has been processed
• Time of issuance will vary
• Longest delay is waiting for 3rd party documents
• If application is sent for legal review expect a delay
• Stay in contact with the analyst processing your application
• Keep contact information up to date
• 10% increase in new applications received
• Decreased application processing times to 7 business days or less
• Creation of CNM-I and CPM application
• Revised PT/PTA and LAc initial paper application
• Creation of Emergency Temporary License application, Telemedicine Waiver form, and other COVID-19 response forms
• Restructured temporary license and student permit final review process for expedited issuance
• Restructured IMLC application process and final review
• Online portal button added to website
• Wallet cards are now available through online portal
• Nearly all renewal applications have been revised
• Revisions to OT/OTA Supervision Forms

Licensing Updates
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<td>Revising all initial, renewal, reinstatement applications</td>
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<td>Creating online initial applications</td>
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<td>Revisions (and additions) to the Healing Arts regulations, particularly related to licensing</td>
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<td>New website</td>
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INTERSTATE MEDICAL LICENSURE COMPACT
U.S. State Participation in the Compact

- Compact Legislation Introduced
- IMLC Member State serving as SPL processing applications and issuing licenses*
- IMLC Member State non-SPL issuing licenses*
- IMLC Passed; Implementation In Process or Delayed*

* Questions regarding the current status and extent of these states' and boards' participation in the IMLC should be directed to the respective state boards.
Is Kansas joining the Physical Therapy Compact?

- HB 2279
- Passed House as amended Mar. 3, 2021
- Senate received Mar. 5, 2021
- March 24, 2021 @ 8:30 hearing before Senate Committee on Public Health and Welfare
SERVE AS ATTORNEYS FOR THE AGENCY AND BOARD MEMBERS IN THEIR OFFICIAL CAPACITIES
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<td>Prosecute unlicensed practice cases</td>
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<td>Presentations</td>
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<td>Projects</td>
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What’s in the works?

• Many regulations promulgation process (new and amendments)
• Increasing our outreach efforts through the Education & Outreach Committee
• Working with stakeholders on a state-wide strategic plan for healthcare provider wellness
• KSBHA Policy Committee
  ➢ Office Based Surgery
REGULATIONS
COMPLIANCE
Disciplinary Department

COMPLAINTS

INVESTIGATIONS
Prosecution

- Applications & Licenses

Monitoring
GENERAL OVERVIEW

1. COMPLAINT
2. INVESTIGATION
3. REVIEWED BY REVIEW COMMITTEE OR COUNCIL (IF SOC)
4. REVIEWED BY DISCIPLINARY PANEL
5. BOARD
Board Actions

- Letter of Concern
- Professional Development Plan
- Public Censure
- Fine
- Probation
- Limitation
- Suspension
- Revocation
COVID-19 Response
Staff, in large part, are working remotely

COVID-19 safety protocols in place for in-office staff

Best point of contact - email

Additional submissions for applications - email
Generally, all healthcare professionals treating patients located in Kansas (whether by telehealth or in person) are required to have a Kansas license.

Kansas has never prohibited telehealth as a treatment modality.

The emergency COVID-19 statute has allowed additional options for out of state providers who wish to treat Kansas patients:

- Emergency temporary license
  - Out of state providers can treat by telehealth or in person

- Telehealth waiver
  - Out of state providers can only treat by telehealth

- Waiver for out of state providers as a result of COVID-19 crisis
Emergency Temporary License

- Emergency temporary license for COVID-19 response and mitigation is available for all healthcare professions regulated by the Board.

- Free

- Allows healthcare practitioner to physically practice in Kansas or conduct telemedicine to patients located in Kansas.

- Will cancel in 90 days if not renewed, or 30 days after the declared Kansas state of emergency ends, whichever is sooner.
Emergency Temporary License Eligibility

- Hold a valid, full, active, and unencumbered license in another state and are not subject to investigation or discipline in another state
- Have held an active or exempt license in KS within the past 2 years
- Currently hold a valid Federal Active license
- Meet all requirements for licensure in KS but are unable to pay fee due to effects of pandemic
- Meet all requirements for licensure in KS except licensing examination due to exam cancellation and no temporary license/permit available
- As of March 17, 2021 – 239 issued
Future of Emergency Temporary License in Kansas

- March 31, 2021 (30 days thereafter)
- We expect emergency temporary licenses to continue in some manner.
- Encourage utilization of ET licenses.
- SB 283 and SB 238, HB 2208
Telemedicine Waiver

• Out of state licensee may utilize telemedicine when treating patients in KS without a license, provided they hold an unrestricted license to practice and are not subject to an investigation or discipline.

• Must submit telemedicine waiver form to KSBHA

• Free

• As of March 17, 2021– 579 received (+6,000 from large out-of-state entities)

• March 31, 2021

• Future?
Extending all continuing education deadlines until **90 days following termination of State of Disaster Emergency Declaration** for licensees who are unable to obtain required continuing education due to COVID-19 pandemic.

All in-person continuing education requirements can be satisfied by live, online continuing education until Dec. 31, 2021.
Technical violations of the Healing Arts Act or other applicable practice act by healthcare providers that do not endanger or defraud the public, which are committed in the course of good faith COVID-19 response efforts during the Kansas emergency declaration period, will generally not be treated as a disciplinary matter by the Board.
If the Board finds that any licensee has taken advantage of the COVID-19 crisis for personal gain in a fraudulent, misleading, or unethical manner that constitutes unprofessional conduct under the Healing Arts Act, the Board will consider such conduct to be an aggravated violation of the Healing Arts Act or other applicable practice act and will exercise its full authority to impose discipline for such conduct, including suspension or revocation.
KSBHA Resources

• Practice Handbooks
• Policies
• KSBHA_Licensing@ks.gov
• KSBHA_Complaints@ks.gov
• KSBHA_LegalQuestions@ks.gov
• Education & Outreach
  ➢ Website page at http://www.ksbha.org/education.shtml
PROFESSIONAL HEALTH PROGRAMS

MD/DO/PA/DC

- Kansas Medical Society – Professionals Health Program
  - (785) 231-1309
  - Carolyn Westgate
- Kansas Association of Osteopathic Medicine
  - (785) 234-5563
  - Vicki Whitaker, Executive Director

RT/PT/PTA/OT/OTA

- Heart of America Professional Network
  - Alan Murray, Executive Director
  - (913) 236-7575
  - alan@hapn.org
Physician Support Line
1 (888) 409-0141

Psychiatrists helping our US physician colleagues
and medical students navigate the many intersections
of our personal and professional lives

Free & Confidential | No appointment necessary
Open 7 days a week | 8:00AM - 1:00AM ET
Welcome.

The Emotional PPE Project connects healthcare workers in need with licensed mental health professionals who can help.

No cost. No insurance. Just a trained professional to talk to.

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All Services Provided Through The Emotional PPE Project Are Free Of Charge.

The Emotional PPE Project is a directory that provides contact information of volunteer mental health practitioners to healthcare workers whose mental health has been impacted by the COVID-19 crisis.

The Emotional PPE Project is an independent tax-exempt nonprofit (501(c)(3)) organization fully staffed by volunteers.

You may contact us at: contact@emotionalppe.org // Click here to review our Terms of Use // Click here to read our FAQs

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National Suicide Prevention Lifeline

We can all help prevent suicide. The Lifeline provides 24/7, free and confidential support for people in distress, prevention and crisis resources for you or your loved ones, and best practices for professionals.

1-800-273-8255

Text “Hello” to 741741

President Signs National Suicide Prevention Designation Act Into Law

The President recently signed the National Suicide Hotline Designation Act into law. 988, the new three-digit number for the National Suicide Prevention Lifeline, is to be completed by July 2022. In the meantime please continue to share 1-800-273-TALK (8255) with anyone wishing to connect to the Lifeline. 988 is NOT CURRENTLY ACTIVE nationally and may not connect callers to the Lifeline.

LEARN MORE
Contact Information

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