

*Kansas Board of Healing Arts
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**Kansas Administrative Regulations
Economic Impact Statement
For the Kansas Division of the Budget**

K.A.R. 100-28a-5, K.A.R. 100-28a-16 (Continuing Education for Renewal, Reinstatement, Lapsed, and Revoked Licenses)

I. Brief description of the proposed rule(s) and regulation(s).

The purpose of these regulation amendments is to add a third required category of physician assistant continuing education activity addressing pain management, prescribing opioids, and the use of prescription drug monitoring programs under K.S.A. 65-28a04.

II. Statement by the agency if the rule(s) and regulation(s) is mandated by the federal government and a statement if approach chosen to address the policy issue is different from that utilized by agencies of contiguous states or the federal government. (If the approach is different, then include a statement of why the Kansas rule and regulation proposed is different)

Not mandated by the federal government.

III. Agency analysis specifically addressing following:

A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

A qualified economist would be required to provide an expert opinion of the extent the regulations would impact economic growth. In the lay opinion of agency staff, the regulations enhance business activities because the regulations create a new category of continuing education activity and should enhance business activities that produce and deliver the new continuing education programs.

B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule and regulation and on the state economy as a whole;

The agency does not employ an economist. In the lay opinion of the agency staff, there will be a positive economic effect on affected businesses because the regulations increase the number of activities for which licensees may earn credit for continuing education.

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See K.S.A. 65-28a04(c). The Kansas State Board of Healing Arts ("Board") shall require every physician assistant to submit with the renewal application evidence of satisfactory completion of a program of continuing education required by the state board of healing arts. See K.S.A. 65-28a03a. The board shall adopt rules and regulations establishing appropriate continuing education requirements for exempt licenses and reinstatement of licenses canceled for failure to renew.

These regulations increase the number of continuing education programs that licensees may attend and receive credit towards satisfying these requirements.

D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;

The regulations add a third category of continuing education but do not increase the total number of continuing education hours required or change the process for renewal of a license. Costs include routine state resource costs associated with promulgating these regulations.

E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

There are no expected costs associated with the regulations other than the costs associated with promulgating these regulations.

F. An estimate, expressed as a total dollar figure, of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

There are no expected independent costs caused by implementation of the regulations apart from the routine agency and state staff resource costs associated with promulgating these regulations. This estimate is based on lay opinion and rationale as described above.

An estimate, expressed as a total dollar figure, of the total implementation and compliance costs that are reasonably expected to be incurred by or passed along to business, local governments, or members of the public.

There are no expected independent costs caused by implementation of the regulations apart from the routine agency and state staff resource costs associated with promulgating these regulations. This estimate is based on lay opinion and rationale as described above.

Do the above total implementation and compliance costs exceed \$3.0 million over any two-year period?

YES NO

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Lay rationale as described herein. The agency does not employ an economist.

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Prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing if the total implementation and compliance costs exceed \$3.0 million over any two-year period to find that the estimated costs have been

accurately determined and are necessary for achieving legislative intent? If applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

YES NO

G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

The agency does not believe the regulations will meaningfully impact the revenue of cities, counties, or school districts, except to the extent that additional business activity is generated in the state due to the addition of a third category of approved continuing education activity.

H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

These regulations were developed during publicly noticed open meetings of the Board, and the Board is following all notice and open meeting hearing requirements associated with promulgating these regulations, which will entail at least 3 more open meetings related to these regulations.

I. For environmental rule(s) and regulation(s) describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

These are not environmental regulations.

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