

**STATE OF KANSAS
BOARD OF HEALING ARTS**

Notice of Public Hearing on Proposed Administrative Regulations

A public hearing will be conducted on Tuesday, March 5, 2019, at 9:30 a.m. in the board room at the Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level – Suite A, Topeka, Kansas, to consider three regulations related to the Kansas Telemedicine Act (K.S.A. 40-2,210 et seq.).

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the regulations. All interested parties may submit comments prior to the hearing to Tucker Poling, General Counsel, at the Board of Healing Arts at the address above, or via e-mail to KSBHA_HealingArts@ks.gov. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the new regulations during the public hearing. In order to provide all parties with an opportunity to present their views, it may be necessary to request each participant limit any oral presentations to five minutes.

Copies of the new regulations and the Economic Impact Statement for the new regulations may be obtained from the Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level – Suite A, Topeka, Kansas 66612; on the agency website at <http://www.ksbha.org/publicinformation/publicinformation.shtml>, by contacting Jenne Cook at (785) 296-2482, or by e-mailing the agency at KSBHA_HealingArts@ks.gov.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the new regulations being considered 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 Sheila Rice at (785) 296-8558 or at Sheila.Rice@ks.gov. Individuals with hearing and/or speech disabilities may contact the Kansas Relay Center at 800-766-3777 for communication accommodations. Handicapped parking is located on 8th Street and in the building's parking garage. From the street, both the West entrance to the building on Jackson Street and the North entrance on 8th Street are accessible.

A summary of the regulations and the economic impact follows:

K.A.R. 100-77-1. Definitions. This regulation clarifies that terms used in the regulations that have defined meanings under the Kansas Telemedicine Act have the same meanings for the purpose of the regulations.

K.A.R. 100-77-2. Telemedicine deemed rendered at location of patient. This regulation advises healthcare providers who practice telemedicine that treating a patient located in Kansas is considered practicing in Kansas (subjecting the healthcare provider to the requirements of the Healing Arts Act).

K.A.R. 100-77-3. Prescribing drugs by means of telemedicine. This regulation advises healthcare providers that the same laws and regulations that apply to prescribing drugs by means of in person patient contact also apply to prescribing drugs via telemedicine.

Anticipated Economic Impact: There are no discernible costs, other than routine agency and state resources involved in the process of promulgating regulations. Although the agency does not employ an economist, the lay opinion of the agency staff is that the economic effect on the affected businesses and business sector would be positive in that the regulations would add clarity to the process of providing telemedicine and the regulations do not impose any new burdens on healthcare providers.