

**STATE OF KANSAS  
BOARD OF HEALING ARTS**

**Notice of Public Hearing on Proposed Administrative Regulations**

A public hearing will be conducted on Tuesday, April 7, 2020, 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 proposed new regulations related to certain business entities that may directly employ physicians.

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](mailto:KSBHA_HealingArts@ks.gov). All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the proposed 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 proposed regulations and the Economic Impact Statement for the new proposed 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 LeeAnn Hunter-Roach at (785) 296-4502, or by e-mailing the agency at [KSBHA\\_HealingArts@ks.gov](mailto: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 proposed 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](mailto: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 8<sup>th</sup> 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 8<sup>th</sup> Street are accessible.

A summary of the new proposed regulations and the economic impact follows:

**Article 78. Business Entities**

**100-78-1. Business entity certificate of authorization; expiration date.**

Each business entity certificate of authorization issued by the board shall expire on June 30 of each year, beginning June 30, 2021.

**100-78-2. Fees.**

The following fees shall be collected by the board:

- (a) Application for certificate of authorization . . . . . \$1,000.00
- (b) Annual renewal of certificate of authorization . . . . . \$1,000.00

The purpose of these new regulations is to implement the certification process described in K.S.A. 65-28,134. The regulations effectuate the legislature’s intent to expand the opportunities for employers to directly employ physicians to provide care to their employees and employees’ family members, and health insurers to directly employ physicians to provide care to their insured patients. Outside of those costs already incorporated in the legislation itself (fee for certificate), costs include routine state resource costs associated with promulgating these regulations. Although 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 implement a certification process that creates an additional mode of healthcare delivery. (See economic impact statement approved by the Department of Budget).