

**K.A.R. 100-8-3. Endorsement licenses; active practice requirements.** (a) Each applicant seeking licensure by endorsement based on licensure and active practice in another state, the District of Columbia, another country, or a territory shall submit evidence showing that the applicant has been engaged in direct patient care during the 12 months immediately preceding submission of a completed application. This direct patient care shall consist of at least either of the following, or the substantial equivalent as determined by the board:

(1) At least one full day per week, or its equivalent, for at least 50 weeks; or

(2) a total of 400 hours.

(b) The totality of circumstances may be considered by the board in determining whether the applicant has been in active practice, including gaps in practice necessitated by military service or family leave taken due to the birth of a child of the applicant or the placement of a child for adoption or foster care with the applicant.

(c) The following shall not qualify as active practice:

(1) Patient care provided while the applicant is engaged in a training program, residency, or fellowship;

(2) employment that consists solely of research activities that would not otherwise be considered direct patient care; and

(3) employment that consists solely of administrative duties.

(d) An applicant's practice in any other state, the District of Columbia, another country, or a territory shall not qualify as active practice during the existence of any of the following conditions:

(1) The applicant's license is limited, suspended, or revoked in any other state, the District of Columbia, another country, or a territory or has been surrendered in any other state, the District of Columbia, another country, or a territory at the time of application.

(2) The applicant's authority to utilize controlled substances issued by any state, the District of Columbia, another country, a territory, or a federal agency has been surrendered as a result of the applicant's practice in any other state, the District of Columbia, another country, or a territory.

(3) The applicant is subject to an agreement for a limitation to or restriction of privileges at any medical care facility as a result of the applicant's practice in any other state, the District of Columbia, another country, or a territory.

(4) The applicant's membership on any professional staff or in any professional association or society has been surrendered while under investigation as a result of the applicant's practice in any other state. (Authorized by K.S.A. 65-2865; implementing K.S.A. 65-2833; effective May 7, 2021.)