

*Kansas Board of Healing Arts  
Tucker Poling, General Counsel  
785-296-8066  
Tucker.Poling@ks.gov*

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

**K.A.R. 100-76-6 (Acupuncturist Regulation)**

Submit a hard copy of the proposed rule(s) and regulation(s) and any external documents that the proposed rule(s) and regulation(s) would adopt along with the following to the Division of the Budget.

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

- Extension of the continuing education (CE) period from one year to two years. 100-76-6(a).
  - CE hours doubled to account for the extended CE period. 100-76-6(a), (g)(9)(A).
  - Initial renewal exception to completion of CE modified to maintain exception for those licensed less than a year prior to a CE year, and to require ½ the CE for those licensed more than a year but less than two years prior to a CE year. 100-76-6(b).
- Removal of the limitation on CE hours obtained online. 100-76-6(g)(9)(B).
- Addition of a quality requirement for all hours obtained online. 100-76-6(g)(9)(B).
- Extensive reorganization for clarity.
- Deletion of redundancy for brevity.
- Rewording for consistency.

**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 regulation would impact economic growth. In the lay opinion of agency staff, the regulation will neither enhance or restrict business activities and growth.

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- 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;**

There are no implementation or compliance costs, so in the lay opinion of agency staff, there will be no economic effect on specific businesses, sectors, public utility ratepayers, or local governments. Individuals licensed to practice acupuncture will have decreased costs associated with obtaining CE because they can pursue online CE options which may be more cost effective.

- C. Businesses that would be directly affected by the proposed rule and regulation;**

Businesses offering or potentially offering CE training to Acupuncturists.

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

The regulation provides more opportunities for Acupuncturist to obtain CE and lengthens the period of time they have to complete the CE. This is a benefit to Acupuncturists because there are very few CE opportunities in Kansas, so under the current regulation they must often travel outside the state to attend expensive CE offerings. There are no costs associated with the regulation.

- 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 or impact on business and economic development within the State of Kansas, local governments, or individuals.

- 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 annual implementation costs to this regulation. There are no annual compliance costs anticipated. 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 total implementation costs to these regulations other than routine state and agency resources necessary to promulgate regulations. No compliance costs anticipated at this time to any party. 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

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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.

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 this revision will meaningfully impact the revenue of cities or school districts.

- 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).

The agency developed this regulation with the assistance of the acupuncture advisory council which is composed of licensees, business owners, and members of the public. These regulations were developed during open meetings of the acupuncture advisory council appropriately noticed and open to all potential stakeholders in the acupuncture profession. The Kansas Association of Oriental Medicine was consulted in the development of this regulation and supports the revisions.

- 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).

This is not an environmental regulation.

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