

**STATE OF KANSAS
BOARD OF HEALING ARTS**

Notice of Public Hearing on Proposed Administrative Regulations

A public hearing will be conducted on Tuesday, December 10, 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 proposed new regulations related to the practice by certified nurse midwives.

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 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 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 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. 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 new proposed regulations and the economic impact follows:

K.A.R. 100-28b-1. Definitions

K.A.R. 100-28b-5. License expiration and cancellation

K.A.R. 100-28b-9. Scope of practice; limitations

K.A.R. 100-28b-15. Transport and transfer protocol requirements

K.A.R. 100-28b-16. Duty to consult, refer, transfer, and transport

K.A.R. 100-28b-17. Identifiable risks requiring immediate referral and transport of patient

K.A.R. 100-28b-18. Identifiable risks requiring immediate referral and transport of newborn

After having been approved in substance by both the Board of Healing Arts and the Board of Nursing, these regulations have been approved by the Department of Administration, the Department of Budget, and the Attorney General. The purpose of these new proposed regulations is to effectuate the provisions of the Independent Practice of Midwifery Act, K.S.A. 65-28b01, et seq., as required by K.S.A. 65-28b07. They include definitions of key terms used in relevant regulations and statutes, procedures for license expiration and cancellation, scope of practice, requirements for referring or transferring patients, and requirements for various levels of coordination with physicians when necessary. While a qualified economist would be required to provide an expert opinion of the regulations' impact on economic activity and growth, in the lay opinion of agency staff, the regulations enhance business activities by allowing a new and independent practice alternative for midwives in Kansas. (See economic impact statement approved by the Department of Budget).