

# Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas State Board of Healing Arts  
Agency

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Agency Contact

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Contact Phone Number

100-11-1  
K.A.R. Number(s)

Permanent     Temporary

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- No    If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?
- Yes    If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.
- No    If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

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## Section I

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

The amendments to this regulation add application and renewal fees for Resident Active licenses and Reentry Active licenses and increases renewal fees for physician and chiropractors by \$30.

## Section II

Statement by the agency if the rule(s) and regulation(s) exceed the requirements of applicable federal law, and a statement if the approach chosen to address the policy issue(s) is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different or exceeds federal law, then include a statement of why the proposed Kansas rule and regulation is different.)*

The proposed amended regulations are not mandated by federal law and the approach chosen to address the policy issues is not different from that utilized by agencies of contiguous states or the federal government.

## Section III

Agency analysis specifically addressing the 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 on the extent the revision would impact economic growth. In the lay opinion of agency staff, the agency is not aware of a basis to conclude this regulation will meaningfully enhance or restrict business activities or growth.

- 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(s) and regulation(s) and on the state economy as a whole;

The agency does not employ an economist. In the lay opinion of agency staff, those applying for a Resident Active or Reentry Active, or renewing such license, will be directly affected because they will pay a fee with the initial application and at renewal. Additionally, physicians and chiropractors will be impacted upon renewal of their license as there will be an increased fee by \$30.

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

Businesses who employ physicians and chiropractors and those who will hold a Resident Active or Reentry Active license.

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

The agency, which is solely fee funded, authorized by law will receive fees from those applying for and renewing Resident Active and Reentry Active licenses for overall agency operations. The additional revenue gained from the increase in renewal fees will also go towards the agency's overall

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operations. No net implementation and compliance costs are contemplated other than routine agency resources used in the regulation promulgation process and licensing.

- 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;

Resident Active application and renewal reflects a lower licensing cost of \$100 as those who will qualify will be in residency. Reentry Active fee is consistent with an Active license to practice the healing arts in Kansas. The Board also considered several options on an increase in renewal fees when considering what amount would be sufficient to continue to cover current and increasing agency operations. There is no expected cost associated to the agency with this regulation other than the routine costs associated with promulgating the regulation and licensing.

- F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or members of the public.

*Note: Do not account for any actual or estimated cost savings that may be realized.*

Costs to Affected Businesses – \$0

Costs to Local Governmental Units – \$0

Costs to Members of the Public – \$100/Resident Active application/renewal; \$300 per Reentry Active application/renewal; Increase of \$30 at annual license renewal for physicians and chiropractors

**Total Annual Costs** – \$\$100/Resident Active application/renewal; \$300 per Reentry Active application/renewal; Increase of \$30 at annual license renewal for physicians and chiropractors  
(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Lay rationale. The agency does not employ an economist.

- Yes
  - No
  - Not Applicable
- If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing 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.

If applicable, [click here to enter public hearing information.](#)

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

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\$0

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

A qualified economist would be required to provide an expert opinion on the estimated dollar figure of implementation. In the lay opinion of agency staff, it is difficult to predict how many individuals will apply for (and renew) a Resident Active or Reentry Active license. Based on the average number of physician and chiropractor licensees over the last three fiscal years, the agency reasonably estimates that the \$30 increase at licensure renewal will generate an approximate additional revenue of \$302,550.00 There are no expected independent costs caused by implementation of this regulation apart from the routine agency and state staff resource costs associated with promulgating these regulations and licensing.

- 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, counties, 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 Board of Healing Arts is comprised of eight physicians, three chiropractors, one podiatrist, and three public members. Our Board members are medical practitioners, business owners, and members of the public. These regulations have been discussed in an open Board meeting of which members of the public, business, and stakeholders could attend. Further, the agency is in communication with the relevant professional organizations in Kansas on the amendments and intends to comply with all public hearing requirements involved in the promulgation process.

## Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- Yes If yes, complete the remainder of Section IV.  
 No If no, skip the remainder of Section IV.

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- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

[Click here to enter agency response.](#)

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

[Click here to enter agency response.](#)

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

[Click here to enter agency response.](#)

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

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