<table>
<thead>
<tr>
<th>STATUTE</th>
<th>Kansas Statutes Annotated, Chapter 65, Article 28a Physician Assistant Licensure Act</th>
</tr>
</thead>
<tbody>
<tr>
<td>DATE</td>
<td>Enacted 1973</td>
</tr>
<tr>
<td>REGULATORY BODY</td>
<td>Kansas Board of Healing Arts</td>
</tr>
<tr>
<td>PA DEFINED</td>
<td>A person licensed under this act who provides patient services under direction and supervision of responsible physician. §65-28a02</td>
</tr>
<tr>
<td>SCOPE OF PRACTICE</td>
<td>PA practice shall include medical services within education, training and experience of PA that are delegated by physician. PAs practice in dependent role with physicians and may perform those duties and responsibilities through delegated authority or written protocol. PA may perform acts which constitute practice of medicine and surgery to the extent authorized by the responsible physician and to extent acts are consistent with board rules. PA may perform medical services in any setting authorized by physician including but not limited to clinics, hospitals, ambulatory surgical centers, patient homes, nursing homes and other institutions. PA may not perform any act or procedure performed in practice of optometry. §65-28a08</td>
</tr>
<tr>
<td>PRESCRIBING/DISPENSING</td>
<td>The board shall adopt regulations governing the prescribing of drugs by PAs and the responsibilities of physicians. Rules to establish conditions and limitations board determines necessary to protect public health and safety. Written protocol between physician and PA containing terms of prescriptive authority required. In no case shall the authority of the PA exceed the normal and customary practice of the responsible physician in the prescribing of drugs. Prescription must contain name, address and telephone number of physician. PAs may not dispense drugs but may request, receive and sign for samples and may distribute professional samples pursuant to written protocol. In order to prescribe controlled substances, PA shall register with the DEA. §65-28a08</td>
</tr>
<tr>
<td>SUPERVISION DEFINED</td>
<td>Direction and supervision means guidance and coordination of PA activities by responsible physician, written or verbal, whether immediate or by prior arrangement in accordance with board rules. Does not require immediate or physical presence of physician. §65-28a02</td>
</tr>
<tr>
<td>PAs PER PHYSICIAN</td>
<td>No responsible physician shall have under his direction and supervision more than 2 full-time PAs. Limitation does not apply to services performed in medical care facility. §65-28a10</td>
</tr>
<tr>
<td>APPLICATION</td>
<td>PA applies for license on board forms. PA may begin practice when request to engage in active practice signed by PA and proposed responsible physician submitted to board. §65-28a03, 04</td>
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<tr>
<td>QUALIFICATIONS</td>
<td>To be licensed, PA must have: • completed board-approved PA program, or acquired experience in US armed forces which meets minimum standards set by board • passed board-approved exam covering subjects taught to PAs §65-28a04</td>
</tr>
<tr>
<td>TEMPORARY PERMIT</td>
<td>Board provides temporary license for PA who has met all qualifications except examination. PA authorized to provide patient services within limits of temporary license until exam results available. Valid for 1 year from the date of issuance or until board makes final determination on request for license. Board may extend temporary license for up to 1 year by majority vote. §65-28a07</td>
</tr>
<tr>
<td>TERMINATION</td>
<td>Physician must notify board when supervision of PA has terminated. §65-28a09</td>
</tr>
<tr>
<td>CONTINUING EDUCATION</td>
<td>PA required to submit with renewal application evidence of satisfactory completion of CME program required by board. §65-28a04</td>
</tr>
<tr>
<td>TITLE/PRACTICE PROTECTION</td>
<td>No person shall use title, abbreviation, letters, figures, sign, card or device to indicate that person is licensed PA or represent self to be licensed PA unless licensed a PA in accordance with this act. §65-28a06</td>
</tr>
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</table>
IDENTIFICATION
Before PA performs under direction and supervision of physician, PA must be identified to
patient and others involved in providing patient services as a PA to the responsible physician.
License must be kept for inspection at primary place of business. §65-28a08

PHYSICIAN LIABILITY
Responsible physician means a physician who has accepted continuous and ultimate
responsibility for actions of PA performing under his direction and supervision. §65-28a02

FEE/RENEWAL SCHEDULE
- $200 maximum for PA license
- $30 maximum for temporary license
- $150 maximum for annual license renewal §65-28a03

PROGRAM APPROVAL
No provision

BOARD REPRESENTATION/
ADVISORY COMMITTEE
PA Council established to advise the board in carrying out the provisions of the law.
Council has 5 members: 3 PAs appointed by the governor from a list submitted by the Kansas
Academy of PAs; a supervising physician appointed by the Board of Healing Arts; and the
president of the board or his designee. §65-28a11

BOARD POWERS
- License PAs
- Maintain list of PAs who may engage in active practice
- Adopt rules and regulations to carry out provisions of act §65-28a03, 04

DISCIPLINARY POWERS
Revoke, suspend or limit license, publicly or privately censure licensee, deny license.
§65-28a05, 12

VIOLATIONS/PENALTY
- Unprofessional conduct as defined by rules
- Fraud
- Professional incompetence
- Felony conviction
- Violation of statute or rules governing PAs
- Acting outside of delegated authority
- Assisting in suicide §65-28a05

PAYMENT FOR SERVICES
No provision

GRANDFATHER CLAUSE
Person registered to practice as PA immediately prior to effective date of act deemed to be
licensed and not required to file original application. §65-28a04

STUDENTS
Students in approved PA training programs exempt from licensure requirements. §65-28a06

LOCUM TENENS
No provision

OTHER
### KANSAS ~ REGULATIONS

<table>
<thead>
<tr>
<th>REGULATIONS</th>
<th>KAR Article 28a, §100-28a-1 et seq</th>
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<tr>
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<td>Revised 11/07</td>
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<tr>
<td>REGULATORY BODY</td>
<td>Kansas Board of Healing Arts</td>
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<td>PA DEFINED</td>
<td>[See statute]</td>
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<tr>
<td>SCOPE OF PRACTICE</td>
<td>PA may perform acts which constitute the practice of medicine and surgery when directly ordered, authorized and coordinated by a responsible or designated physician through (a) immediate and physical presence; (b) when directly ordered by supervising physician; (c) when authorized on a form provided to the board by the responsible physician; or (d) in an emergency situation. §100-28a-6</td>
</tr>
<tr>
<td>Physician request form designates physician’s practice and plan for PA utilization, list of drugs PA is and is not authorized to prescribe, locations of practice including hospitals; specifies designated (alternate) supervisors. Forms are written, signed, dated; copies are maintained at practice locations and provided to the board. §100-28a-9</td>
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</tr>
<tr>
<td>PRESCRIBING/DISPENSING</td>
<td>PA may prescribe Schedule II-V and non-scheduled drugs as authorized by drugs prescription protocol contained in the physician request form. Schedule II drugs require a written prescription, except in an emergency. Written prescription must contain physician and PA’s name, address, telephone number; be signed by PA and contain his DEA number when prescription is for a controlled drug. Prescription must indicate whether prescribing is by direct order of physician, pursuant to written protocol, or because of an emergency situation. PA may supply a prescription-only drug to a patient when drug has been provided to the PA or physician at no cost; it is commercially labeled and in the original prepackaged unit dose container; and it is supplied to patient at no cost. PA’s prescriptive practice may not exceed normal and customary practice of responsible physician. §100-28a-13</td>
</tr>
<tr>
<td>SUPERVISION DEFINED</td>
<td>Supervision considered adequate if the physician • establishes a method for periodic evaluation (at least annually) • reviews any written protocols at least annually • actively practices in Kansas • reviews and signs patient records at least bi-weekly • reviews and signs charts within 48 hours if treatment provided in an emergency exceeded PA’s normal scope of practice • provides for a designated physician to supervise on each occasion when responsible physician is temporarily absent, unable to be reached by telecommunication, or is otherwise unavailable • delegates only those acts which the physician believes can be competently performed by the PA based upon the PA’s background training, capabilities, skill and experience. §100-28a-10</td>
</tr>
<tr>
<td>PA may work at a different practice location (defined as office or location that is maintained or utilized by a responsible physician to regularly meet patients or receive calls that is not the physician’s primary practice location) if the PA has spent at least 80 hours under the immediate, physical supervision of the responsible physician, the physician periodically sees and treats patients at the location and a notice is posted. §100-28a-14</td>
<td></td>
</tr>
<tr>
<td>Physician must be available for communication with PA within 30 minutes of performance of patient service by PA. §100-28a-9</td>
<td></td>
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<td>PA as PER PHYSICIAN</td>
<td>Physician may not supervise more than 2 PAs without board’s prior approval. Board may grant approval if 1 or more of the PAs works less than full time or is on temporary leave. §100-28a-17</td>
</tr>
<tr>
<td>APPLICATION</td>
<td>Applications for license as PA shall be on form provided by board. §100-28a-2</td>
</tr>
<tr>
<td>QUALIFICATIONS</td>
<td>• Completion of PA program accredited by ARC-PA or predecessor or equivalent program as determined by the board §100-28a-3 • Passage of NCCPA certifying examination §100-28a-5</td>
</tr>
<tr>
<td>TEMPORARY PERMIT</td>
<td>In lieu of formal training, applicant may submit proof that PA acquired experience in armed forces in 14 clinical procedures specified in rules. §100-28a-4</td>
</tr>
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<td>TERMINATION</td>
<td>[See statute]</td>
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### KANSAS REGULATIONS

#### CONTINUING EDUCATION

<table>
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<tr>
<td>50 hours per year or 100 hours in 2 years, in courses approved by board. 40 hours in 2 years must be Category I. (Board approves courses accepted by AAPA.)</td>
<td>§100-28a-5</td>
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</table>

#### TITLE/PRACTICE PROTECTION

[See statute]

#### IDENTIFICATION

[See statute]

#### PHYSICIAN LIABILITY

[See statute]

#### FEE/RENEWAL SCHEDULE

- $150 initial PA license
- $25 temporary license
- $130 license renewal — on-line
- $135 license renewal — paper

Registration expires December 31 of each year. §100-28a-15

#### PROGRAM APPROVAL

ARC-PA or predecessor agency accreditation accepted. Board may approve equivalent programs. PAs trained in the armed forces must provide proof that experience has enabled PA to perform 14 specified tasks. §100-28a-3

#### BOARD REPRESENTATION/ADVISORY COMMITTEE

[See statute]

#### BOARD POWERS

[See statute]

#### DISCIPLINARY POWERS

[See statute]

#### VIOLATIONS/PENALTY

Professional incompetency defined as one or more instances of failing to adhere to standard of care to degree that constitutes gross negligence as determined by board, repeated instances of failure to adhere to applicable standard of care to degree that constitutes ordinary negligence, pattern of practice or behavior that demonstrates incapacity or incompetence to perform professional service as PA. §100-28a-7

Unprofessional conduct defined as:
- conviction of class A misdemeanor, whether or not related to practice
- fraud or false advertisements
- cheating or subverting validity of licensure exam
- violation of PA licensure act, pharmacy act, controlled substance act or regulations
- practicing under assumed name or impersonating another practitioner
- practicing without reasonable skill and safety because of illness, use of alcohol or drugs or mental or physical condition
- discipline in another jurisdiction
- prescribing or furnishing controlled substance for other than medically accepted purpose
- excessive or inappropriate prescribing
- prescribing anabolic steroid, human growth hormone or amphetamines other than for valid medical purpose
- failure to provide information to board
- fraudulent billing
- representing that incurable disease can be cured
- treating patient without consent
- betraying confidential information
- conduct likely to deceive, defraud or harm public
- allowing another to use PA license
- sexual abuse or misconduct in professional practice
- failure to keep accurate medical records
- false statements or falsification of medical records
- performing unnecessary tests or services
- delegating to unqualified individual §100-28a-8

#### PAYMENT FOR SERVICES

No provision

#### GRANDFATHER CLAUSE

[See statute]

#### STUDENTS

[See statute]

#### LOCUM TENENS

No provision

#### OTHER
