

## **65-1115. Licensure of Professional Nurses; Qualifications of Applicants; Examination; Refresher Course; Renewal License; Title and Abbreviation; Temporary Permit; Exempt License**

### **(a) Qualifications of Applicants**

An applicant for a license to practice as a registered professional nurse shall:

1. Have graduated from an approved school of professional nursing in the United States or its territories or from a school of professional nursing in a foreign country which is approved by the board as defined in rules and regulations.
2. Have obtained other qualifications not in conflict with this act as the board may prescribe by rule and regulation.
3. File with the board a written application for a license.

### **(b) Applicant Deficient in Qualifications**

If the board finds in evaluating any applicant that such applicant is deficient in qualification or in the quality of such applicant's educational experience, the board may require such applicant to fulfill such remedial or other requirements as the board may prescribe.

### **(c) License**

1. The board shall issue a license to an applicant to practice as a registered professional nurse who has:
  - **(A)** Met the qualifications set forth in subsections (a) and (b);
  - **(B)** Passed a written examination as prescribed by the board;
  - **(C)** No disqualifying factors under K.S.A. 65-1120 and amendments thereto.
2. The board may issue a license to practice nursing as a registered professional nurse to an applicant who has been duly licensed as a registered professional nurse by examination under the laws of another state or territory if, in the opinion of the board, the applicant meets the qualifications required of a registered professional in this state. Verification of the applicant's licensure status shall be required from the original state of licensure.
3. **Refresher Course:** Notwithstanding the provisions of subsections (a) and (b), an applicant for a license to practice as a registered professional nurse who has not been licensed to practice professional nursing for five years preceding application

shall be required to successfully complete a refresher course as defined by the board.

4. **Renewal License:** A licensed professional nurse licensed under this act shall be eligible for renewal licenses upon compliance with K.S.A. 65-1117 and amendments thereto.
5. **Licensure Examination within 24 Months of Graduation:**
  - **(A)** Persons who do not take the licensure examination within 24 months after graduation shall petition the board for permission prior to taking the licensure examination. The board may require the applicant to submit and complete a plan of study prior to taking the licensure examination.
  - **(B)** Persons who are unsuccessful in passing the licensure examination within 24 months after graduation shall petition the board for permission prior to subsequent attempts. The board may require the applicant to submit and complete a plan of study prior to taking the licensure examination a subsequent time. The study plan shall contain subjects related to deficiencies identified on the failed examination profiles.
6. An application for initial licensure or endorsement will be held awaiting completion of meeting qualifications for a time period specified in rules and regulations.

#### **(d) Title and Abbreviation**

Any person who holds a license to practice as a registered professional nurse in this state shall have the right to use the title, “registered nurse,” and the abbreviation, “R.N.” No other person shall assume the title or use the abbreviation or any other words, letters, signs, or figures to indicate that the person is a registered professional nurse.

#### **(e) Temporary Permit**

The board may issue a temporary permit to practice nursing as a registered professional nurse for a period not to exceed 120 days. A temporary permit for 120 days may be issued to an applicant for licensure as a registered professional nurse who is a graduate of a professional school of nursing in a foreign country after verification of licensure in that foreign country and approval of educational credentials.

#### **(f) Exempt License**

The board may issue an exempt license to any licensee as defined in rules and regulations who:

1. Makes written application for such license on a form provided by the board;
2. Remits a fee as established pursuant to K.S.A. 65-1118 and amendments thereto;
3. Is not regularly engaged in the practice of professional nursing in Kansas but volunteers professional nursing service or is a charitable health care provider as defined by K.S.A. 75-6102 and amendments thereto.

Each exempt licensee shall be subject to all provisions of the nurse practice act, except as otherwise provided in this subsection (f). Each exempt license may be renewed biennially subject to the provisions of this section. The holder of the exempt license shall not be required to submit evidence of satisfactory completion of a program of continuing nursing education for renewal. To convert an exempt license to an active license, the exempt licensee shall meet all the requirements of subsection (c) or K.S.A. 65-1117 and amendments thereto. The board shall have authority to write rules and regulations to carry out the provisions of this section.

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## History

- L. 1949, ch. 331, § 4; L. 1963, ch 314, § 2; L. 1968, ch. 231, §1; L 1972, ch. 231, § 9; L. 1975, ch. 316, § 3; L. 1982, ch. 261, § 1; L. 1983, ch. 207, § 1; L. 1986, ch. 233, § 1; L. 1990, ch. 221, § 1; L. 1992, ch. 151, § 1; L. 1993, ch. 194, § 9; L. 1994, ch. 149, § 1; L. 1997, ch. 158, § 1; L. 1999, ch. 84, § 1; L. 2001, ch. 161, § 1; L. 2009, ch. 81, § 1; July 1.

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## **65-1120. Grounds for Disciplinary Actions; Proceedings; Witnesses; Costs; Professional Incompetency Defined; Criminal Justice Record Information**

### **(a) Grounds for Disciplinary Actions**

The board may deny, revoke, limit, or suspend any license or authorization to practice nursing as a registered professional nurse, as a licensed practical nurse, as an advanced practice registered nurse, or as a registered nurse anesthetist that is issued by the board or applied for under this act, or may require the licensee to attend a specific number of hours of continuing education in addition to any hours the licensee may already be required to attend or may publicly or privately censure a licensee or holder of a temporary permit or authorization, if the applicant, licensee, or holder of a temporary permit or authorization is found after hearing:

1. To be guilty of fraud or deceit in practicing nursing or in procuring or attempting to procure a license to practice nursing.
2. To have been guilty of a felony or to have been guilty of a misdemeanor involving an illegal drug offense unless the applicant or licensee establishes sufficient rehabilitation to warrant the public trust.
3. Has been convicted or found guilty or has entered into an agreed disposition of a misdemeanor offense related to the practice of nursing as determined on a case-by-case basis.
4. To have committed an act of professional incompetency as defined in subsection (e).
5. To be unable to practice with skill and safety due to current abuse of drugs or alcohol.
6. To be a person who has been adjudged in need of a guardian or conservator, or both, under the act for obtaining a guardian or conservator, or both, and who has not been restored to capacity under that act.
7. To be guilty of unprofessional conduct as defined by rules and regulations of the board.
8. To have willfully or repeatedly violated the provisions of the Kansas nurse practice act or any rules and regulations adopted pursuant to that act, including K.S.A. 65-1114 and 65-1122, and amendments thereto.
9. To have a license to practice nursing as a registered nurse or as a practical nurse denied, revoked, limited or suspended, or to be publicly or privately censured, by a licensing authority of another state, agency of the United States government, territory of the United States or country.

**(b) Proceedings**

Upon filing of a sworn complaint with the board charging a person with having been guilty of any of the unlawful practices specified in subsection (a), two or more members of the board shall investigate the charges, or the board may designate and authorize an employee or employees of the board to conduct an investigation. After investigation, the board may institute charges.

**(c) Witnesses**

No person shall be excused from testifying in any proceedings before the board under this act or in any civil proceedings under this act before a court of competent jurisdiction on the ground that such testimony may incriminate the person testifying, but such testimony shall not be used against the person for the prosecution of any crime under the laws of this state except the crime of perjury as defined in K.S.A. 21-5903, and amendments thereto.

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### **History**

- L. 1949, ch. 331, § 9; L. 1963, ch. 314, § 6; L. 1972, ch