

**STATE OF KANSAS
BOARD OF HEALING ARTS**

Notice of Public Hearing on Proposed Administrative Regulations

A public hearing will be conducted on Wednesday, August 28, 2024, at 12:30 p.m. in the board room at the Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level – Suite A, Topeka, Kansas 66612, to consider proposed amended regulations of Kansas State Board of Healing Arts.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the amended regulation. All interested parties may submit comments prior to the hearing to Derenda Mitchell, 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 amended regulation 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 proposed amended regulations and the Economic Impact Statements for the proposed amended regulations may be obtained from the Kansas State Board of Healing Arts, 800 SW Jackson, Lower Level – Suite A, Topeka, Kansas, on the agency website at <http://www.ksbha.org/publicinformation/publicinformation.shtml>, by contacting LeeAnn Hunter-Roach at (785) 296-4502, 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 proposed amended regulation 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 Rikki Price at (785) 296-8558 or at Rikki.R.Price@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.

Summaries of the proposed regulations and their economic impact follow:

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SECRETARY OF STATE**

K.A.R. 100-1-1 Seals. This regulation sets forth the Board's utilization of the seal for official acts. The regulation was last amended in 1977 – the proposed amended regulation does not alter the substance of the regulation but modernizes the regulation for compliance with current regulatory structure and requirements.

A qualified economist would be required to provide an expert opinion of the extent the amended regulation would impact economic growth. In the lay opinion of agency staff, the technical amendment alone will have no impact on economic growth.

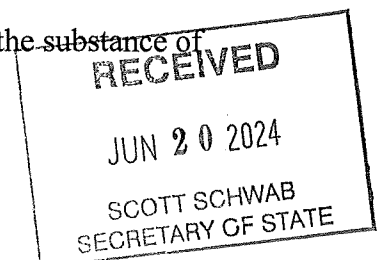
K.A.R. 100-2-2 Term. This regulation sets the term for the President and Vice President of the Board. The proposed amended regulation does not alter the substance of the regulation but modernizes the regulation for compliance with current regulatory structure and requirements, including updating statutory authority.

A qualified economist would be required to provide an expert opinion of the extent the amended regulations would impact economic growth. In the lay opinion of agency staff, the technical amendments alone will have no impact on economic growth.

K.A.R. 100-2-3 President, duties. This regulation sets the duties for President of the Board. The proposed amended regulation does not alter the substance of the regulation but modernizes the regulation for compliance with current regulatory structure and requirements, including updating statutory authority.

A qualified economist would be required to provide an expert opinion of the extent the amended regulations would impact economic growth. In the lay opinion of agency staff, the technical amendments alone will have no impact on economic growth.

K.A.R. 100-2-4 Vice-president, duties. This regulation sets the term and duties for the Vice President of the Board. The proposed amended regulation does not alter the substance of



the regulation but modernizes the regulation for compliance with current regulatory structure and requirements, including updating statutory authority.

A qualified economist would be required to provide an expert opinion of the extent the amended regulations would impact economic growth. In the lay opinion of agency staff, the technical amendments alone will have no impact on economic growth.

K.A.R. 100-3-1 Appointment (revoke). The agency is proposing revocation of this regulation as it is unnecessary, and not otherwise mandated by law, considering the content is covered in K.S.A. 65-2823 and K.A.R. 100-2-3.

The proposed revocation would neither enhance nor restrict business activities and growth for special committees.

K.A.R. 100-4-1 Causes. This regulation covers a vacancy, and filling of such vacancy, in the role of President and Vice President of the Board. The proposed amended regulation does not materially alter the substance of the regulation but modernizes the regulation for compliance with current regulatory structure and requirements, including updating statutory authority.

A qualified economist would be required to provide an expert opinion of the extent the amended regulations would impact economic growth. In the lay opinion of agency staff, the technical amendments alone will have no impact on economic growth.

K.A.R. 100-4-2 Filling. This regulation covers a vacancy, and filling of such vacancy, in the role of President and Vice President of the Board. The proposed amended regulation does not materially alter the substance of the regulation but modernizes the regulation for compliance with current regulatory structure and requirements, including updating statutory authority.

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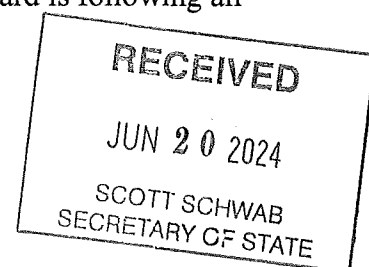
K.A.R. 100-5-1 Meetings. This regulation sets forth requirements for the Board to designate dates, times, and places for the Board meetings and special meetings. The regulation was last amended in 1988 – the proposed amended regulation does not materially alter the substance of the regulation but modernizes and streamlines the regulation for compliance with current regulatory structure and requirements.

A qualified economist would be required to provide an expert opinion of the extent the amended regulations would impact economic growth. In the lay opinion of agency staff, the technical amendments alone will have no impact on economic growth.

K.A.R. 100-5-2 Special Meetings. This regulation sets forth requirements for the Board to designate dates, times, and places for the Board meetings and special meetings. The regulation was last amended in 1988 – the proposed amended regulation does not materially alter the substance of the regulation but modernizes and streamlines the regulation for compliance with current regulatory structure and requirements.

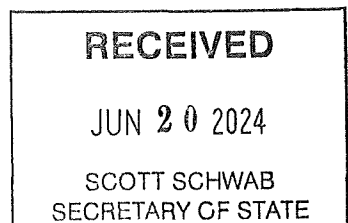
A qualified economist would be required to provide an expert opinion of the extent the amended regulations would impact economic growth. In the lay opinion of agency staff, the technical amendments alone will have no impact on economic growth.

The Board of Healing Arts is comprised of eight physicians (5-MD; 3-DO), three chiropractors, one podiatrist, and three public members. The amended regulations were developed during publicly noticed open meetings of the Board, and the Board is following all



notice and open meeting hearing requirements associated with promulgating the amended regulations.

Susan Gile
Executive Director



Proposed

K.A.R. 100-1-1. Seals. ~~This~~ The board shall have a common seal which shall be used to authenticate all official acts and documents of the board. (Authorized by K.S.A. 65-2819 and K.S.A. 65-2865; implementing K.S.A. 65-2819; effective Jan. 1, 1966; amended Feb. 15, 1977; amended P-_____.)

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OCT 13 2023

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Proposed

K.A.R. 100-2-2. Term. ~~The officers herein provided for~~ Each president and vice president shall hold office for a term of one (1) year and until their successors are elected and qualified.

(Authorized by K.S.A. 65-2865; implementing K.S.A. 65-2818; effective Jan. 1, 1966; amended

P-_____.)

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K.A.R. 100-2-3. President; duties. ~~It shall be the duty of the president to preside at all meetings of the board and perform such other duties as authorized or required by law or as may be specifically assigned by the board. The president shall countersign the minutes of board meetings when approved. The president is authorized to appoint such standing committees as the board may direct and may appoint special committees for special purposes.~~ (a) The president of the board shall:

(1) preside at all meetings of the board;

(2) countersign the minutes of board meetings when approved; and

(3) perform such duties as otherwise authorized or required by law, or specifically assigned by the board.

(b) The president of the board may:

(1) appoint standing committees as directed by the board; and

(2) appoint subcommittees for special purposes. (Authorized by K.S.A. 65-2865; implementing K.S.A. 65-2818, ~~as amended by L. 1987, Ch. 240, Sec. 6~~; effective Jan. 1, 1966; amended May 1, 1988; amended P-_____.)

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Proposed

K.A.R. 100-2-4. Vice-president; duties. In the absence, recusal, or disability of the president at any regular or special board meeting, the vice-president shall:

(a) Possess all the powers and duties of the president during such meeting for the duration of the absence, recusal, or disability; and

(b) ~~shall~~ countersign the minutes of such meeting when approved. (Authorized by K.S.A. 65-2865; implementing K.S.A. 65-2818; effective Jan. 1, 1966; amended P-_____.)

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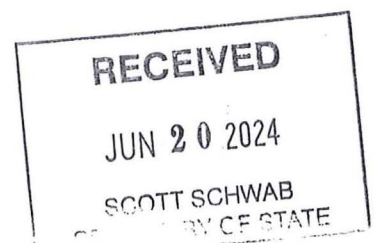
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K.A.R. 100-3-1. (Authorized by K.S.A. 65-2865; effective Jan. 1, 1966; amended Jan. 1, 1970;
amended Feb. 15, 1977; amended May 1, 1979; revoked P-_____.)

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Proposed

K.A.R. 100-4-1. Causes. A vacancy shall occur in any board office for president or vice president herein provided for when the person holding that office resigns or is no longer a member of the board. (Authorized by K.S.A. 65-2865; implementing K.S.A. 65-2818 and 65-2819; effective Jan. 1, 1966; amended Feb. 15, 1977; amended P-_____.)

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K.A.R. 100-4-2. Filling. ~~Vacancies in any office other than that of president shall be filled by a temporary appointment by the president, which temporary appointment shall continue until the next regular or special meeting of the board at which time one of the members of the board shall be elected to fill such vacancy for the unexpired term.~~ If a vacancy occurs in the office of president, the vice-president shall act as president until the next regular meeting of the board, at which time one of the members of the board shall be elected to fill such vacancy for the unexpired term. (Authorized by K.S.A. 65-2865; implementing K.S.A. 65-2818 and 65-2819; effective Feb. 15, 1977; amended P-_____.)

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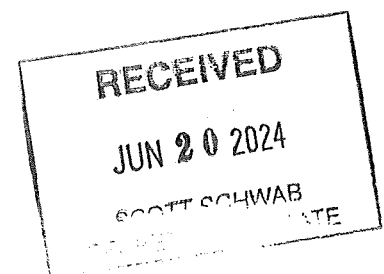
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K.A.R. 100-5-1. Meetings. ~~(a) The annual meeting of the board shall be in its first regular meeting subsequent to July 1 of each year.~~ ~~(a) The annual meeting of the board shall be its first regular meeting subsequent to July 1 of each year.~~ ~~(b) Prior to January 1 of each year the board shall designate the dates, times and places of its regular meetings for the next calendar year. Any changes to the dates, times or places of such meetings may be made by the board at any regular meeting or special meeting called for that purpose. (Authorized by K.S.A. 65-2865; implementing K.S.A. 65-2818; K.S.A. 65-2819; effective Jan. 1, 1966; amended Feb. 15, 1977; amended May 1, 1988; amended P-_____.)~~

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K.A.R. 100-5-2. Special meetings.

(a) Special meetings may be called by the president at any time.

(b) The president shall call a special meeting when a written request is made by a quorum of the board setting forth an agenda of business to be transacted at that meeting.

(c) Notice of the date, time and place of any special meeting and an agenda of the business to be transacted at that meeting shall be furnished to each member of the board at least ~~five~~ two days ~~prior to~~ before the meeting.

(d) No business shall be transacted at a special meeting except as set forth in the agenda ~~furnished pursuant to subsection (c) above~~ for the special meeting. (Authorized by K.S.A. 65-2865; implementing K.S.A. 65-2819; effective Jan. 1, 1966; amended Feb. 15, 1977; amended May 1, 1988; amended P-_____.)

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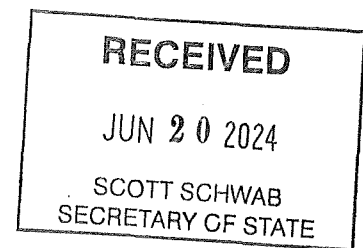
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Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas State Board of Healing Arts
Agency

Courtney Cyzman
Agency Contact

785/296-1384
Contact Phone Number

K.A.R. 100-1-1
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).

This regulation sets forth the Board's utilization of the seal for official acts. The regulation was last amended in 1977 – the proposed amended regulation does not alter the substance of the regulation but modernizes the regulation for compliance with current regulatory structure and requirements.

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 regulation is 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 of the extent the amended regulation would impact economic growth. In the lay opinion of agency staff, the technical amendment alone will have no impact on economic 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 the agency staff, the technical amendment alone would not have an economic effect.

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

None.

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

The agency does not employ an economist. In the lay opinion of the agency staff, the technical amendment will have no expected cost. The benefit will be a modernized regulation.

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- 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 is no expected cost associated with this amended regulation.

- 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 – \$0

Total Annual Costs – \$0

(sum of above amounts)

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

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

- ☐ Yes 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.
- ☐ No
- ☒ Not Applicable

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.

\$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.

There are no expected independent costs caused by implementation of this amended regulation.

- 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

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Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

The agency does not believe the amended regulation 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 Board of Healing Arts is comprised of eight physicians (5- MD; 3 – DO); three chiropractors, one podiatrist, and three public members. This amended regulation was developed during publicly noticed open meetings of the Board, and the Board is following all notice and open meeting hearing requirements associated with promulgating the amended regulation.

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.

- 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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SECRETARY OF STATE

Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas State Board of Healing Arts
Agency

Warran D. Wiebe
Agency Contact

785/296-3288
Contact Phone Number

K.A.R. 100-2-2, K.A.R. 100-2-3 and K.A.R. 100-2-4
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?

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

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There is no expected cost associated with these amended regulations other than the routine costs associated with promulgating the regulations.

- 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

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Costs to Members of the Public – \$0

Total Annual Costs – \$0

(sum of above amounts)

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

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

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- ☐ No
- ☒ Not Applicable

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.

\$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.

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☒ No If no, skip the remainder of Section IV.

- 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.

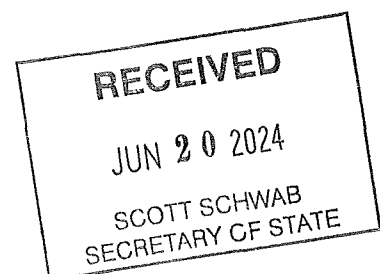
- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

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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Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas State Board of Healing Arts
Agency

Courtney Cyzman
Agency Contact

785/296-1384
Contact Phone Number

K.A.R. 100-3-1
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 agency is proposing revocation of this regulation as it is unnecessary, and not otherwise mandated by law, considering the content is covered in K.S.A. 65-2823 and K.A.R. 100-2-3.

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 revoked regulation is 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;

The proposed revocation would neither enhance nor restrict business activities and growth for special committees.

- 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;

None.

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

None.

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

No costs

- 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;

The Board is proposing revocation of a regulation it deems is unnecessary nor mandated by law.

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- 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 – \$0

Total Annual Costs – \$0

(sum of above amounts)

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

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

- ☐ Yes 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.
- ☐ No
- ☒ Not Applicable

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.

\$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.

There are no expected independent costs caused by the proposed revocation of this regulation.

- 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 the proposed revocation regulation will meaningfully impact the revenue of cities or school districts.

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- 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 (5- MD; 3 – DO); three chiropractors, one podiatrist, and three public members. This proposed revocation regulation was developed during publicly noticed open meetings of the Board, and the Board is following all notice and open meeting hearing requirements associated with promulgating the proposed revoked regulation.

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.

- 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.

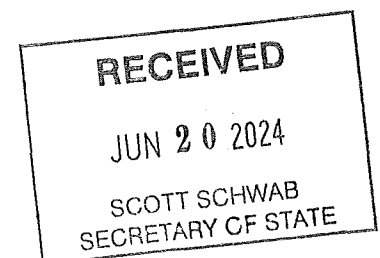
- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

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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Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas State Board of Healing Arts
Agency

Warran D. Wiebe
Agency Contact

785/296-3288
Contact Phone Number

K.A.R. 100-4-1 and K.A.R. 100-4-2
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).

These regulations cover a vacancy, and filling of such vacancy, in the role of President and Vice President of the Board. The proposed amended regulations do not materially alter the substance of the regulations but modernize the regulations for compliance with current regulatory structure and requirements, including updating statutory authority.

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 of the extent the amended regulations would impact economic growth. In the lay opinion of agency staff, the technical amendments alone will have no impact on economic 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 the agency staff, the technical amendments alone would not have an economic effect.

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

Click here to enter agency response.

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

The agency does not employ an economist. In the lay opinion of the agency staff, the technical amendments will have no expected cost. The benefit will be a modernized regulation.

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- 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 is no expected cost associated with these amended regulations.

- 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 – \$0

Total Annual Costs – \$0

(sum of above amounts)

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

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

- ☐ Yes 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.
- ☐ No
- ☒ Not Applicable

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.

\$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.

There are no expected independent costs caused by implementation of these amended regulations.

- 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

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Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

The agency does not believe the amended regulations 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 Board of Healing Arts is comprised of eight physicians (5- MD; 3 – DO); three chiropractors, one podiatrist, and three public members. These amended regulations were developed during publicly noticed open meetings of the Board, and the Board is following all notice and open meeting hearing requirements associated with promulgating the amended regulations.

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.

- 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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SECRETARY OF STATE

Proposed

Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas State Board of Healing Arts
Agency

Warran D. Wiebe
Agency Contact

785/296-3288
Contact Phone Number

K.A.R. 100-5-1, K.A.R. 100-5-2
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)?
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- ☒ 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).

These regulations set forth requirements for the Board to designate dates, times, and places for the Board meetings and special meetings. The regulations were last amended in 1988 – the proposed amended regulations do not materially alter the substance of the regulations but modernize and streamline the regulations for compliance with current regulatory structure and requirements.

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.

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A qualified economist would be required to provide an expert opinion of the extent the amended regulations would impact economic growth. In the lay opinion of agency staff, the technical amendments alone will have no impact on economic 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 the agency staff, the technical amendments alone would not have an economic effect.

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

None.

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

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- 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 is no expected cost associated with these amended regulations.

- 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 – \$0

Total Annual Costs – \$0

(sum of above amounts)

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

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

- ☐ Yes 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.
- ☐ No
- ☒ Not Applicable

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.

\$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.

There are no expected independent costs caused by implementation of these amended regulations.

- 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

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Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

The agency does not believe the amended regulations 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 Board of Healing Arts is comprised of eight physicians (5- MD; 3 – DO); three chiropractors, one podiatrist, and three public members. This amended regulation was developed during publicly noticed open meetings of the Board, and the Board is following all notice and open meeting hearing requirements associated with promulgating the amended regulations.

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.

- 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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