

A public hearing will be conducted at 1:30 P.M Wednesday, September 11, 2013 in Room 1051 of the Landon State Office Building , 900 SW Jackson, Topeka, to consider the adoption of proposed changes in two existing rules and regulations relating to Licensed Mental Health Technician fees and IV therapy. The Licensed Mental Health Technicians fee proposed changes include deleting the fee for endorsement and increasing the fee for examination. The IV therapy proposed changes include clarifying language of the scope of practice for licensed practical nurses performing IV therapy. All interested parties may submit written comments prior to the hearing to the Executive Administrator of the Board of Nursing, Room 1051 Landon State Office Building, 900 S.W. Jackson, Topeka, Ks. 66612. All interested parties will be given a reasonable opportunity to present their views, orally or in writing, concerning the adoption of the proposed regulations during the hearing. Phone comments will be taken by calling 1-877-278-8686 (access code 640465) at 1:30 P.M. the day of the hearing. In order to give all persons the opportunity to present their views, it may be necessary to request each participant to limit any oral presentations to five minutes. A summary of the proposed regulations and the economic impact follows.

**K.A.R. 60-8-101. Payment of fees.** The proposed language deletes the fee for licensure by endorsement for licensed mental health technicians and increases the examination fee from \$20.00 to \$40.00. This will be an approximately \$1,200.00 increase of revenue each year for the Kansas State Board of Nursing and will cost each of the possible mental health technicians \$20.00 more to take the examination. There is no economic impact for other governmental entities or private business.

**K.A.R. 60-16-102. Scope of practice for licensed practical nurse performing intravenous fluid therapy.** The proposed language deletes "excluding the initial dosage of medications or solutions" which clarifies that the Licensed Practical Nurse may administer IV solutions that may be the initial dose. There is no economic impact for the State Board of Nursing, other governmental entities, private business, or individuals.

A copy of each of the proposed regulations and associated economic impact statement may be obtained by accessing the Kansas State Board of Nursing web site at [www.ksbn.org](http://www.ksbn.org) or by contacting the Executive Administrator at the State Board of Nursing, Suite 1051, Landon State Office Building, 900 SW Jackson, Topeka, KS. 66612 or call (785) 296-3350, prior to the date of hearing.

Any individual with a disability may request accommodations in order to participate in the public hearing and may request the proposed regulations and economic impact statements in an accessible format. Requests for accommodations should be made at least five working days in advanced of the hearing by contacting the State Board of Nursing.

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Kansas State Board of Nursing

Sam Brownback, Governor

**Economic Impact**  
**K.A.R. 60-8-101 and 60-16-106**

**K.A.R. 60-8-101. Payment of fees.** The proposed language deletes the fee for licensure by endorsement for licensed mental health technicians and increases the examination fee from \$20.00 to \$40.00. This will be approximately \$1,200.00 increase of revenue each year for the Kansas State Board of Nursing and will cost each of the possible mental health technicians \$20.00 more to take the examination. There is no economic impact for other governmental entities or private business.

**K.A.R. 60-16-102. Scope of practice for licensed practical nurse performing intravenous fluid therapy.** The proposed language deletes "excluding the initial dosage of medications or solutions" which clarifies that the Licensed Practical Nurse may administer IV solutions that may be the initial dose. There is no economic impact for the State Board of Nursing, other governmental entities, private business, or individuals.

**60-8-101. Payment of fees.** The following fees shall be charged by the board of nursing:

(a) Mental health technician programs.

- (1) Annual renewal of program approval ..... \$100.00
- (2) Survey of a new program ..... 200.00
- (3) Application for approval of continuing education providers ..... 200.00
- (4) Annual renewal for continuing education providers..... 50.00

(b) Mental health technicians.

- (1) ~~Licensure by endorsement~~ ..... 50.00
- (2) Application for licensure ..... 50.00
- (3) ~~(2)~~ Examination ..... 20.00 40.00
- (4) ~~(3)~~ Biennial renewal of license ..... 60.00
- (5) ~~(4)~~ Application for reinstatement of license without temporary permit ..... 70.00
- (6) ~~(5)~~ Application for reinstatement of license with temporary permit ..... 75.00
- (7) ~~(6)~~ Certified copy of Kansas license ..... 12.00
- (8) ~~(7)~~ Inactive license ..... 10.00
- (9) ~~(8)~~ Verification of licensure ..... 10.00
- (10) ~~(9)~~ Duplicate license ..... 12.00
- (11) ~~(10)~~ Application for exempt license ..... 50.00
- (12) ~~(11)~~ Renewal of exempt license ..... 50.00

(Authorized by K.S.A. 65-4203; implementing K.S.A. 65-4208; effective May 1, 1980; amended May 1, 1983; amended, T-85-49, Dec. 19, 1984; amended May 1, 1985; amended June 3, 1991; amended May 17, 1993; amended May 9, 1994; amended Feb. 6, 1995; amended April 3, 1998; amended July 1, 2001; amended April 20, 2007; amended P-\_\_\_\_\_.)

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**60-16-102. Scope of practice for licensed practical nurse performing intravenous fluid therapy.** (a) A licensed practical nurse under the supervision of a registered professional nurse may engage in a limited scope of intravenous fluid treatment, including the following:

- (1) Monitoring;
- (2) maintaining basic fluids;
- (3) discontinuing intravenous flow and an intravenous access device not exceeding three inches in length in peripheral sites only; and
- (4) changing dressings for intravenous access devices not exceeding three inches in length in peripheral sites only.

(b) Any licensed practical nurse who has met one of the requirements under K.S.A. 65-1136, and amendments thereto, may perform, in addition to the functions specified in subsection (a) of this regulation, the following procedures relating to the expanded administration of intravenous fluid therapy under the supervision of a registered professional nurse:

- (1) Calculating;
- (2) adding parenteral solutions to existing patent central and peripheral intravenous access devices or administration sets;
- (3) changing administration sets;
- (4) inserting intravenous access devices that meet these conditions:
  - (A) Do not exceed three inches in length; and
  - (B) are located in peripheral sites only;
- (5) adding designated premixed medications to existing patent central and peripheral intravenous access devices or administration sets either by continuous or intermittent methods, ~~excluding the initial dosage of medications or solutions;~~
- (6) maintaining the patency of central and peripheral intravenous access devices and administration sets

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with medications or solutions as allowed by policy of the facility;

(7) changing dressings for central venous access devices;

(8) administering continuous intravenous drip analgesics and antibiotics; and

(9) performing the following procedures in any facility having continuous on-site registered professional nurse supervision:

(A) Admixing intravenous medications; and

(B) administering by direct intravenous push any drug in a drug category that is not specifically listed as a banned drug category in subsection (c), including analgesics, antibiotics, antiemetics, diuretics, and corticosteroids, as allowed by policy of the facility.

(c) A licensed practical nurse shall not perform any of the following:

(1) Administer any of the following by intravenous route:

(A) Blood and blood products, including albumin;

(B) investigational medications;

(C) anesthetics, antianxiety agents, biological therapy, serums, hemostatics, immunosuppressants, muscle relaxants, human plasma fractions, oxytocics, sedatives, tocolytics, thrombolytics, anticonvulsants, cardiovascular preparations, antineoplastics agents, hematopoietics, autonomic drugs, and respiratory stimulants;

(D) intravenous fluid therapy in the home health setting, with the exception of the approved scope of practice authorized in subsection (a); or

(E) intravenous fluid therapy to any patient under the age of 12 or any patient weighing less than 80 pounds, with the exception of the approved scope of practice authorized in subsection (a);

(2) initiate total parenteral nutrition or lipids;

(3) titrate medications;

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(4) draw blood from a central intravenous access device;

(5) remove a central intravenous access device or any intravenous access device exceeding three inches in length; or

(6) access implantable ports for any purpose.

(d) Licensed practical nurses qualified by the board before June 1, 2000 may perform those activities listed in subsection (a) and paragraph (b)(9)(A) regardless of their intravenous therapy course content on admixing.

(e) This regulation shall limit the scope of practice for each licensed practical nurse only with respect to intravenous fluid therapy and shall not restrict a licensed practical nurse's authority to care for patients receiving this therapy. (Authorized by and implementing K.S.A. 65-1136; effective Nov. 21, 1994; amended Dec. 13, 1996; amended June 12, 1998; amended Oct. 29, 1999; amended Jan. 24, 2003; amended May 18, 2012; amended P-\_\_\_\_\_.)

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