

LEGAL QUALIFICATIONS FOR R.N. LICENSURE

Qualifications for Applying for a Registered Nurse License in Kansas

Kansas State Law, as documented by the Kansas Nurse Practice Act:

1. Qualifications of applicants. An applicant for a license to practice as a registered professional nurse shall:
 - 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;
 - Instructions for Foreign Nurses:
<http://www.ksbn.org/forms/Instructions%20for%20Foreign%20Nurses.pdf>
 - have obtained other qualifications not in conflict with this act as the board may prescribe by rule and regulation; and
 - file with the board a written application for a license.
2. The board may deny, revoke, limit or suspend any license or authorization to practice nursing as a registered professional nurse or as a licensed practical nurse if the applicant, licensee or holder of a temporary permit or authorization is found after hearing:
 - 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, except that notwithstanding K.S.A. 74-120, and amendments thereto, no license or authorization to practice nursing as a licensed professional nurse, as a licensed practical nurse, as an advanced practice registered nurse or registered nurse anesthetist shall be granted to a person with a felony conviction for a crime against persons as specified in article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 chapter 21 of the Kansas Statutes Annotated, or K.S.A. 2012 Supp. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto;

From: Kansas Nurse Practice Act Statutes & Administrative Regulations. Topeka, KS. Kansas State Board of Nursing, October, 2023. Sections 65-1115 and 65-1120.

<https://ksbn.kansas.gov.npa>

Automatic bars to licensure are contained in K.S.A. 65-1120(a)(2):

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, except that notwithstanding K.S.A. 74-120, and amendments thereto, no license or authorization to practice nursing as a licensed professional nurse, as a licensed practical nurse, as an advanced practice registered nurse or registered nurse anesthetist shall be granted to a person with a felony conviction for a crime against persons as specified in article 34 of chapter 21 of the Kansas Statutes Annotated, prior to their repeal, or article 54 of chapter 21 of the Kansas Statutes Annotated, or K.S.A. 21-6104, 21-6325, 21-6326 or 21-6418, and amendments thereto;
- (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 or to have other disciplinary action taken against the applicant or licensee by a licensing authority of another state, agency of the United States government, territory of the United States or country. A certified copy of the record or order of public or private censure, denial, suspension, limitation, revocation or other disciplinary action of the licensing authority of another state, agency of the United States government, territory of the United States or country shall constitute prima facie evidence of such a fact for purposes of this paragraph (9); or
- (10) to have assisted suicide in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 21-5407, and amendments thereto, as established by any of the following:
 - (A) A copy of the record of criminal conviction or plea of guilty for a felony in violation of K.S.A. 21-3406, prior to its repeal, or K.S.A. 21-5407, and amendments thereto.
 - (B) A copy of the record of a judgment of contempt of court for violating an injunction issued under K.S.A. 60-4404, and amendments thereto.

- (C) A copy of the record of a judgment assessing damages under K.S.A. 60-4405, and amendments thereto.
- (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. If an investigation, in the opinion of the board, reveals reasonable grounds for believing the applicant or licensee is guilty of the charges, the board shall fix a time and place for proceedings, which shall be conducted in accordance with the provisions of the Kansas administrative procedure act.
- (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.
- (d) *Costs.* If final agency action of the board in a proceeding under this section is adverse to the applicant or licensee, the costs of the board's proceedings shall be charged to the applicant or licensee as in ordinary civil actions in the district court, but if the board is the unsuccessful party, the costs shall be paid by the board. Witness fees and costs may be taxed by the board according to the statutes relating to procedure in the district court. All costs accrued by the board, when it is the successful party, and which the attorney general certifies cannot be collected from the applicant or licensee shall be paid from the board of nursing fee fund. All moneys collected following board proceedings shall be credited in full to the board of nursing fee fund.
- (e) *Professional incompetency defined.* As used in this section, "professional incompetency" means:
- (1) One or more instances involving failure to adhere to the applicable standard of care to a degree which constitutes gross negligence, as determined by the board;
 - (2) repeated instances involving failure to adhere to the applicable standard of care to a degree which constitutes ordinary negligence, as determined by the board; or
 - (3) a pattern of practice or other behavior which demonstrates a manifest incapacity or incompetence to practice nursing.
- (f) *Criminal justice information.* The board upon request shall receive from the Kansas bureau of investigation such criminal history record information relating to arrests and criminal convictions as necessary for the purpose of determining initial and continuing qualifications of licensees of and applicants for licensure by the board.

History: L. 1949, ch. 331, § 9; L. 1963, ch. 314, § 6; L. 1972, ch. 231, § 10; L. 1975, ch. 316, § 7; L. 1978, ch. 240, § 6; L. 1981, ch. 245, § 1; L. 1983, ch. 206, § 10; L. 1985, ch. 88, § 6; L. 1986, ch. 233, § 4; L. 1990, ch. 221, § 5; L. 1993, ch. 194, § 1; L. 1995, ch. 97, § 2; L. 1997, ch. 158, § 4; L. 1998, ch. 142, § 8; L. 2011, ch. 30, § 236; L. 2011, ch. 114, § 42; L. 2018, ch. 42, § 5; July 1, 2019.

Kansas Crimes Against Persons

Chapter 21 – Article 54

Kansas Statutes > Chapter 21 > Article 54 – Crimes Against Persons

Current as of: 2023 |

- [§ 21-5401 Capital murder](#)
- [§ 21-5402 Murder in the first degree](#)
- [§ 21-5403 Murder in the second degree](#)
- [§ 21-5404 Voluntary manslaughter](#)
- [§ 21-5405 Involuntary manslaughter](#)
- [§ 21-5406 Vehicular homicide](#)
- [§ 21-5407 Assisting suicide](#)
- [§ 21-5408 Kidnapping; aggravated kidnapping](#)
- [§ 21-5409 Interference with parental custody; aggravated interference with parental custody](#)
- [§ 21-5410 Interference with custody of a committed person](#)
- [§ 21-5411 Criminal restraint](#)
- [§ 21-5412 Assault; aggravated assault; assault of a law enforcement officer; aggravated assault of a law enforcement officer](#)
- [§ 21-5413 Battery; aggravated battery; battery against certain persons; aggravated battery against certain persons](#)
- [§ 21-5414 Domestic battery; aggravated domestic battery](#)
- [§ 21-5415 Criminal threat; aggravated criminal threat](#)
- [§ 21-5416 Mistreatment of a confined person](#)
- [§ 21-5417 Mistreatment of a dependent adult; mistreatment of an elder person](#)
- [§ 21-5418 Hazing](#)
- [§ 21-5419 Application of certain crimes to an unborn child](#)
- [§ 21-5420 Robbery; aggravated robbery](#)
- [§ 21-5421 Terrorism](#)
- [§ 21-5422 Illegal use of weapons of mass destruction](#)
- [§ 21-5423 Furtherance of terrorism or illegal use of weapons of mass destruction](#)
- [§ 21-5424 Exposing another to a life threatening communicable disease](#)
- [§ 21-5425 Unlawful administration of a substance](#)
- [§ 21-5426 Human trafficking; aggravated human trafficking](#)
- [§ 21-5427 Stalking](#)
- [§ 21-5428 Blackmail](#)
- [§ 21-5429 Endangerment](#)
- [§ 21-5430 Distribution of a controlled substance causing great bodily harm or death](#)
- [§ 21-5431 Female genital mutilation](#)
- [§ 21-5432 Human smuggling; aggravated human smuggling](#)