



GOVERNOR LAURA KELLY

EXECUTIVE ORDER NO. 21-22

Allowing for extensions of professional and occupational licenses during state of disaster emergency

WHEREAS, securing the health, safety, and economic well-being of residents of the State of Kansas is this Administration's top priority;

WHEREAS, Kansas is facing a crisis—the pandemic and public health emergency of COVID-19—resulting in illness, quarantines, school closures, and temporary closure of businesses resulting in lost wages and financial hardship to Kansas citizens;

WHEREAS, the United States Departments of Health and Human Services declared a public health emergency for COVID-19 beginning January 27, 2020, with more than 31,883,289 cases of the illness and more than 569,272 deaths as a result of the illness across the United States;

WHEREAS, the World Health Organization declared a pandemic on March 11, 2020;

WHEREAS, on March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020;

WHEREAS, a State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020, and extended to May 28, 2021, by Section 5 of Senate Bill 40 enacted during the 2021 Legislative Session;

WHEREAS, as of this date, there have been over 307,865 positive cases of COVID-19 in Kansas, spread among all 105 counties and 4,970 deaths as a result of the illness;

WHEREAS, suspension of certain state statutes and administrative rules is necessary to reduce the risk of further exposure and spread of COVID-19 and to assist with mitigation efforts during the COVID-19 public health emergency;

WHEREAS, the State of Kansas, its boards, commissions, divisions, or other licensing authorities regularly renew thousands of occupational and professional licenses, certificates, permits, and registrations on a regular basis;

WHEREAS, the COVID-19 public health emergency has presented significant—sometimes insurmountable--obstacles for the holders of licenses, certificates, permits, or registrations to renew or satisfy certain requirements for renewal during the public health emergency, though some

of these obstacles have been reduced as the spread of the virus has slowed and access to vaccines has expanded;

WHEREAS, the holders of licenses, certificates, permits, and registrations provide significant services within Kansas, and the unavailability of such services would hamper efforts to address the escalating COVID-19 public health emergency;

WHEREAS, the holders of licenses, certificates, permits, and registrations who provide medical care perform functions that are necessary to effectively respond to and mitigate the COVID-19 pandemic;

WHEREAS, many state agencies rely on funds from renewals of licenses, certificates, permits, and registrations to fulfill their important public safety regulatory obligations, requiring some flexibility with any suspension of licensing requirements that impact the funding of regulatory functions;

WHEREAS, on April 9, 2020, I executed Executive Order 20-19, which was extended by Executive Orders 20-39, 20-49, 20-64, 21-02, and 21-09, extending professional and occupational licenses during the COVID-19 pandemic; and

WHEREAS, in these challenging times this Administration will do whatever it can to avoid immediate dangers to the health, safety, and welfare of Kansans, including ensuring that Kansans who provide important services can continue their work without regulatory interruptions.

NOW, THEREFORE, pursuant to the authority vested in me as Governor of the State of Kansas, including but not limited to the authority granted me by K.S.A 48-924 and K.S.A 48-925(c)(1) and (c)(11), in order to mitigate the effects of COVID-19, I hereby direct and order the following:

1. State agencies may extend renewal deadlines for any occupational or professional license, certificate, permit, or registration issued by a state agency or any board, commission, division, or other licensing authority within a state agency to any individual, business, or organization, that was in good standing as of March 12, 2020, and that has expired or will expire during the State of Disaster Emergency.
2. State agencies may extend renewal deadlines for any organization, establishment, facility, shop, or premises license, certificate, permit, or registration issued by a state agency or any board, commission, division or other licensing authority within a state agency to any individual, business, or organization that was in good standing as of March 12, 2020, and that has expired or will expire during the State of Disaster Emergency.
3. State agencies may waive any late, delinquent, penalty, or expiration fees associated with any license, certificate, permit, or registration referred to in paragraphs 1 and 2 above.
4. State agencies may extend the deadlines for any continuing education requirements mandated by any state agency or any board, commission, division, or other licensing authority.

5. Any renewal fees, deadlines, or other requirements extended pursuant to paragraphs 1 or 2 of Executive Order 21-09 (and its predecessor orders) shall remain extended until at least 15 days after the relevant licensing authority provides notice to licensees through publication on the agency's website or through other electronic means regularly used by the agency to communicate with the agency's licensees.
6. Any license not current as of the earlier of an agency-selected date published pursuant to paragraph 5 above or the expiration of this order shall be subject to the licensing agency's normal authority to impose late fees and such license shall not continue to be effective by virtue of this or any previous executive order.
7. The Department of Agriculture shall continue to extend renewal deadlines for any license, permit, registration, certificate, or other fee imposed under the Kansas Food, Drug and Cosmetic Act, K.S.A. 65-655 *et seq.* on food establishments or food processors that were in good standing as of March 12, 2020.
8. For purposes of this Order, a "state agency" has the meaning set forth in K.S.A. 75-3701, and reports to or is otherwise located in an executive office under the Governor's control.
9. For purposes of this Order, "in good standing" shall include a license, certificate, permit, or registration that is subject to probation, or non-disciplinary conditions, limitations, or restrictions, but shall not include a license, certificate, permit, or registration that is revoked, cancelled, surrendered, or suspended. Any license, certificate, permit, or registration that is subject to disciplinary conditions, limitations, or restrictions shall remain subject to such conditions, limitations, or restrictions.
10. This order does not affect licensing for attorneys.
11. This order should be read in conjunction with previous executive orders responding to the COVID-19 pandemic.
12. Executive Order 21-09 is rescinded and replaced by this order.

This document shall be filed with the Secretary of State as Executive Order No. 21-22. It shall become effective immediately and remain in force until rescinded, or until May 28, 2021, whichever is earlier.


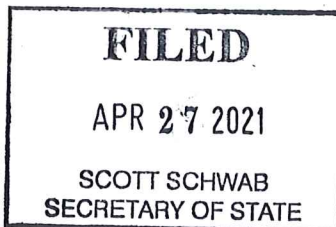
THE GOVERNOR'S OFFICE

BY THE GOVERNOR

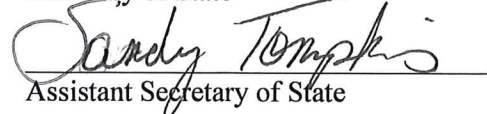


DATED

April 27, 2021



Secretary of State



Assistant Secretary of State