



Policy – Appearance by Video Conference

Policy Number: 001-13

Approved by the Board: May 13, 2013

Last Updated: May 13, 2013

- I. Purpose
 - a. The purpose of this policy is to provide guidelines for the Board to handle requests for appearance by video conference by applicants required to appear before the Board due to a felony conviction.
- II. Authority
 - a. The Board may refuse to issue or renew a license, or revoke, suspend, censure, limit or condition a license for conviction of a felony unless the applicant or licensee is able to demonstrate to the Board's satisfaction that such person has been sufficiently rehabilitated to warrant the public trust. K.S.A. 65-1908(a)(2).
 - b. Kansas Administrative Procedure Act. K.S.A. 77-501, *et seq.*
- III. Policy and Procedures
 - a. Appearance before the Board Disciplinary Panel
 - i. The Board shall provide the applicant an opportunity to appear in person or by video conference.
 - ii. For an applicant who has been convicted of a person or sexual felony, there shall be a presumption that the applicant will appear in person.
 - iii. An applicant's request to appear by video conference must be received in the Board office at least five days prior to the scheduled hearing date.
 - iv. The Board may approve requests for appearance by video conference when the Board determines that it would be an extreme hardship for the applicant to appear in person.
 - v. In determining whether an applicant is subject to extreme hardship the Board shall consider the travel distance, the cost of travel, the predicted weather conditions, and any personal circumstances that make travel difficult or impossible for the applicant.
 - vi. The Board shall determine the video conference service provider and shall notify the applicant of the Board's connection address.
 - vii. The applicant is responsible for ensuring that all necessary technology and internet connections are available and that the applicant and any witnesses are available to participate in the conference at the time of the scheduled hearing.
 - viii. If the applicant fails to appear by video conference at the time of the scheduled hearing, the applicant will not be rescheduled to appear by video conference and must appear before the Board in person.