

CHAPTER 29

(SB 131)

AN ACT relating to advanced practice doctoral programs at comprehensive universities.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 164.295 is amended to read as follows:

- (1) The six (6) state universities:
 - (a) Shall provide, upon approval of the Council on Postsecondary Education, associate and baccalaureate programs of instruction;
 - (b) Shall provide, upon approval of the Council on Postsecondary Education, graduate programs of instruction at the master's-degree level in education, business, and the arts and sciences, specialist degrees, and programs beyond the master's-degree level to meet the requirements for teachers, school leaders, and other certified personnel; and
 - (c) Shall provide research and service programs directly related to the needs of their primary geographical areas.
- (2) A comprehensive university may provide:
 - (a) Programs of a community college nature in their own community comparable to those listed for the Kentucky Community and Technical College System, as provided in KRS 164.580;
 - (b) Upon approval of the Council on Postsecondary Education, an advanced practice doctoral program in nursing in compliance with KRS 314.111 and 314.131; and
 - (c) Upon approval of the Council on Postsecondary Education, *one or more additional advanced practice doctoral programs in accordance with subsection (3) of this section*~~[a maximum of three (3) advanced practice doctoral programs including a program approved under paragraph (b) of this subsection and an Ed.D. program approved under subsection (1)(b) of this section].~~
- (3) *A maximum of eighteen (18) advanced practice doctoral programs may be offered by the six (6) comprehensive universities with each of the comprehensive universities assured an opportunity to offer a minimum of two (2) advanced practice doctoral programs. The maximum of eighteen (18) advanced practice doctoral programs shall include programs approved under subsection (2)(b) of this section and Ed.D. programs approved under subsection (1)(b) of this section. Upon approval of the eighteenth advanced practice doctoral program, or the expiration of five (5) years from the effective date of this Act, whichever occurs first, the Council on Postsecondary Education, in consultation with the Advisory Conference of Presidents, shall assess the review and approval process required by subsection (4) of this section. As part of this assessment, the council shall determine whether the process is meeting the requirements set forth in administrative regulations required by subsection (5) of this section. Upon completion of the assessment, the council may, with the unanimous consent of the Advisory Conference of Presidents, retain the current maximum or recommend a new maximum for consideration of the General Assembly during a regular session of the legislature.*
- ~~(4)~~~~(3)~~ The Council on Postsecondary Education, in consultation with the Advisory Conference of Presidents pursuant to KRS 164.021, shall develop criteria and conditions upon which an advanced practice doctoral degree program may be approved. The criteria shall include but not be limited to a determination of the academic and workforce needs for a program, consideration of whether the program can be effectively delivered through a collaborative effort with an existing program at another public university within the Commonwealth, and the capacity of a university to effectively offer the program. A university requesting approval of an advanced practice doctoral program shall be required to provide assurance that funding for the program will not impair funding of any existing program at any other public university. The university shall make an annual report to the council identifying the full cost of and all funding sources for each approved doctoral program and the performance of each approved program. Nothing in this subsection shall prohibit the council from approving a doctoral program under consideration at a comprehensive university prior to the effective date of the administrative regulations required by subsection ~~(5)~~~~(4)~~ of this section, provided that the council determines that the conditions and criteria set out in this subsection have been met.

- ~~(5)~~~~(4)~~ The council shall promulgate administrative regulations setting forth the agreed-on criteria and conditions identified under subsection ~~(4)~~~~(3)~~ of this section.
- ~~(6)~~~~(5)~~ The council shall submit the approval process to the Interim Joint Committee on Education by October 15, 2011.
- ~~(7)~~~~(6)~~ The council shall, with the unanimous consent of the members of the Advisory Conference of Presidents pursuant to KRS 164.021, make a recommendation to the Interim Joint Committee on Education as to whether any portion of subsection (2) *or* (3) of this section should be amended.
- ~~(8)~~~~(7)~~ A comprehensive university shall not:
- (a) Offer the terminal degrees of Doctor of Philosophy, Doctor of Musical Arts, or first professional degrees in the fields of architecture, medicine, dentistry, pharmacy, law, or engineering. The existing school of law at Northern Kentucky is exempted from the requirements of this paragraph; or
 - (b) Describe itself in official publications or in marketing materials as a research university or research institution. Nothing in this paragraph shall be construed as precluding a comprehensive university from conducting basic, applied, or translational research.

Signed by Governor April 6, 2012.