

# BUSSINESS ENTITY FREQUENTLY ASKED QUESTIONS



In Kansas, a ‘business entity’ means a general corporation, professional corporation, limited liability company, limited liability partnership, corporate partnership or other legal entity created by law.

## What are the requirements for a Certificate of Authorization?

Detailed instructions are listed on the first page of the application. A complete application will include the following:

- Completed Application Form
- Non-refundable application fee of \$170.00
- Articles of Formation (from the home state of business)
- Kansas Certificate of Good standing or other document showing registration with the Kansas Secretary of State (this may be waived, please read details below)

## Who needs a Certificate of Authorization?

Kansas Statues state if you are going to practice or offer to practice in the state of Kansas a technical profession through a business entity, the business entity needs a KSBTP Certificate of Authorization. The only type of business entity that is not required to have a Certificate of Authorization is that of a sole proprietor.

## How soon will a Certificate of Authorization be issued?

It takes approximately 2 business days from receipt of the application to the issuance of the certification if the application is complete. An approval letter and wall certificate will be mailed the same day your business’s certification is granted.

## Who can sign as Principal in Responsible Charge for our business?

K.S.A. 74-7036 (1): One or more principals is designated as being in responsible charge for the activities and decisions relating to the practice of such profession and is licensed to practice such profession by the board and is a regular employee of and active participant in the business entity;

K.S.A. 74-7003 (n): “Principal” means a person who serves in a business entity as an officer, members of the board of directors, member of a limited liability company or partner.

K.S.A. 74-7003 (u): “Responsible Charge” means the application of personal supervision, professional judgement, and the incorporation of detailed knowledge with respect to the content of a technical submission by a licensee when applying the normal standard of care for the work that such licensee is licensed to perform.

Our Board does not define how many hours a “regular employee” must work; They may be full or part-time to meet the requirement.

## **Will I be contacted/When will I be contacted?**

If a requirement is missing or found unsatisfactory you will be contacted within 2 business days of the application’s receipt via e-mail from Board Staff (if no e-mail is provided a letter will be mailed to the business’s address). If your application is processed and approved your first contact from KSBTP will be the receipt of your approval letter in the mail.

## **The KS Secretary of State’s Office is asking for a certificate verifying my professional license and company name before I can register with them, where may I request this?**

E-mail [sarah.j.easter@ks.gov](mailto:sarah.j.easter@ks.gov) with the name of your Principal in Responsible Charge and proposed business name to receive this verification document. There is currently no form available on our website.

## **Do I need to register with the Kansas Secretary of State?**

You must contact the Secretary of State’s office for help determining registration needs at 785-296-4564 or [www.kssos.org](http://www.kssos.org) . Please see the first page of the application.

## **I want to waive the requirement to register with the Kansas Secretary of State’s Office, what do I do?**

If the business entity determines to NOT file with the Kansas Secretary of State, include with the application a letter from a principal of the business entity stating your reason for not filing per K.S.A. 17-76, 121a. The letter must outline your intended use of a Certificate of Authorization.

## **Will a Certificate of Good Standing from my home state meet the requirement for Articles of Organization?**

NO. Our Board must receive a copy (can be unofficial) of the originally filed articles and any amendments. The articles must be file-stamped by the state of registration. Contact your home state’s Secretary of State’s office if you need assistance locating your articles.

## **Does the principal have to be the same profession as the COA? Does he/she need to be licensed before we apply for a COA?**

YES. The principal in responsible charge may only apply supervision to the profession in which the licensee is licensed in KS to perform. They MUST be licensed in KS before filling out the COA application; otherwise the affidavit is incomplete.

## **Do we need separate COA's for different professions?**

YES. Each profession the business entity wants to practice will need its own COA and Principal in responsible charge.

## **I have a COA already, so how do I....**

### **Change the Principal in responsible charge? Is there a fee?**

Locate a Principal in Responsible Charge Change Form on our website. There is no fee for this change. The form must be mailed with the supporting documentation attached.

### **Change Business Name? Is there a fee?**

Locate a Name Change for Business Entity form on our website. There is no a fee for this change. The form must be mailed with supporting documentation attached.

### **Renew?**

The last day to renew is December 31st, with A-L in even number years, and M-Z in odd number years based on the first letter of the business name. Renew online or with a paper form from our website at [ksbtp.ks.gov](http://ksbtp.ks.gov). The renewal fee is \$95.

### **Reinstate?**

The application for Reinstatement is available on our website at [ksbtp.ks.gov](http://ksbtp.ks.gov). The business must submit new copies of supporting documentation with the \$100 application fee. An approval letter will be mailed upon completion.

### **Cancel or withdraw the certificate?**

You must send a letter signed by a principal, office manager, or legal counsel that states the business's intent to cancel along with the business's KS COA # and preferred date of cancellation. Confirmation of cancellation will be sent via email.