

## Proponent Testimony regarding HB 2256

Dear Committee Members,

I am writing you to ask for your support of H.B. 2256 which proposes changes to the current Advanced Registered Nurse Practitioner statutes.

I am a Nurse Practitioner with 10 years of experience as an ARNP and 28 years experience as a registered nurse. I was employed at the Menninger Clinic for over 20 years in both inpatient and outpatient care. My last five years at Menninger I was the Director of the Community Service office which offered outpatient mental health services and provided education for doctors, nurses and social workers. Currently, I am in private practice and the owner of Indian Hills Health Services, Inc. I provide psychiatric/mental health care to over 80 patients per week, including psychotherapy and medications. I am board certified in Child and Adolescent mental health, although I serve adults as well. My education includes a Masters in Nursing from the University of Kansas School of Nursing, and my B.S.N. from St. Mary's of the Plains (formerly in Dodge City). I am a life-long Kansas resident and very proud of my work in the health care system. As a Nurse Practitioner I have provided to my patients access to quality mental health care. In Topeka, there has been a shortage of access to services, especially for children, outside the large community mental health agencies. In both my work as an RN and as an ARNP I have worked in a collegial and professional relationship with physicians. Physicians are, like nurses, an essential element in the health care system. My referrals to physicians have always been well received and there will always be a need for mutual consultation with some patients.

H.B. 2256 provides new language that expressly states that ARNP's are permitted to perform acts of medical diagnosis and prescription of medical, therapeutic and corrective measures commensurate within the rules and regulations established by the Board of Nursing, and within the educational preparation received. The bill also removes "Responsible Physician" language from the prescriptive authority section of the ARNP statutes. Currently ARNP's can prescribe medications pursuant to jointly adopted protocol with a "responsible physician". Since April, 2000 Kansas ARNP's have been able to obtain a DEA number and are able to prescribe scheduled drugs. This particular section of the ARNP statute, K.S.A. 65-1130 (d) is the only section that includes physician language, and was added in 1989 when prescribing was first addressed in the ARNP statutes. Kansas has "regulated" ARNP's through the Board of Nursing since 1978. The Healing Arts Statute, K.S.A 65-2872 expressly states "that the practice of the healing arts shall not be construed to include the following persons: ...(m) Nurses practicing their profession when licensed and practicing under and in accordance with the provisions of article 11 of chapter 65 of the Kansas Statutes Annotated, or amendments thereto, and any interpretation thereof by the supreme court of this state."

It is important that Kansas laws appropriately reflect the practice arena. It is time for the ARNP statute to be updated. Kansas is well served by the more than 1500 practicing ARNP's and these changes will help insure that access to primary care and affordable health care are available throughout the state.

Thank you for consideration.

Sincerely,  
Debie Bechtold, MS, ARNP, BC  
Indian Hills Health Services, Inc.  
4125 SW Twilight Drive  
Topeka, Kansas 66614  
785-228-2199/ fax-785-228-9025

Faye Heller, MS, CS, ARNP, CST, BC

**Rx: Health, LLC**  
**5040 SW 28<sup>th</sup> St.**  
**Topeka, KS 66614**  
**785-273-4908 Fax: 785-273-0465**

February 8, 2005  
House Health and Human Services Committee members  
Fax: 785-368-7074

Dear Committee Members,

I am writing you to ask for your support of H.B. 2256 that proposes changes to the current Advanced Registered Nurse Practitioner statutes. I am a Nurse Practitioner/Clinical Specialist who is Board Certified by the national certifying organization. I have 25 years of experience as an ARNP. I provide psychiatric mental health care to more than 65 patients per week. My education includes a Masters degree in psychiatric nursing and education from the University of Texas, a Bachelors degree in nursing, and continuing education that is consistently one and one-half times that required by state boards and the national certifying organization.

As an ARNP/CS I have provided access to quality care for my patients. As an ARNP and RN, I have worked in a wide variety of locations and specialty areas. This is of benefit to the patients that I serve. In the almost 40 years that I have practiced my profession, the collaborative, collegial, consultative teamwork between nurses and physicians has been an essential element in providing quality of care to patients. There will always be a need for this teamwork.

H.B. 2256 provides new language that expressly states that ARNP's are permitted to perform acts of medical diagnosis and prescription of medical, therapeutic, and corrective measures commensurate within the rules and regulations established by the Board of Nursing, and within the educational preparation received. The bill also removes "responsible physician" language from the prescriptive authority section of the ARNP statutes. Currently ARNP's can prescribe medications pursuant to jointly adopted protocol with a "responsible physician". Since April, 2000, Kansas ARNP's have been able to obtain a DEA number and are able to prescribe scheduled drugs. This particular section of the ARNP statute, KSA 65-1130 (d) is the only section that includes physician language, and was added in 1989 when prescribing was first addressed in the ARNP statutes. Kansas has "regulated" ARNP's through the Board of Nursing since 1978. The Healing Arts Statute, KSA 65-2872 expressly states "that the practice of the healing arts shall not be construed to include the following persons:(m) Nurses practicing their profession when licensed and practicing under and in accordance with the provisions of article 11 of chapter 65 of the Kansas Statutes Annotated, or amendments thereto, and any interpretation thereof by the supreme court of this state."

It is important that Kansas's laws appropriately reflect the practice arena. It is time for the ARNP statute to be updated. Kansas is well served by the more than 1500 practicing ARNPs. These changes in the statute will help insure access to, availability of, and affordable health care throughout Kansas. More than 100 studies have examined the care delivered by nurse practitioners. There is not a single study showing a negative impact on the quality of the services provided by nurse practitioners.

Please support H.B. 2256

Respectfully submitted,

Faye Heller, MS, CS, ARNP, CST, BC

February 7, 2005  
2200 S. Rock Rd. #1317  
Wichita, KS 67207  
316-208-6516  
Representative Jim Morrison  
Capitol Room 171-W  
Topeka, KS 66612

Dear Representative Morrison,

I am writing to request your support for changes to the Advanced Registered Nurse Practitioner statutes proposed by H.B. 2256. I graduated in 2003 from Wichita State University with a Bachelor of Science in Nursing degree and recently returned to WSU to begin the Masters in Nursing program. I have served as a full-time staff nurse in the Trauma/Surgical Intensive Care Unit, Via Christi St. Francis Hospital, Wichita. I am proud to offer my services as a Registered Nurse to my fellow Kansans and those individuals who seek the high quality of care we offer. As a future Nurse Practitioner, I feel your support of H.B. 2256 is critical to my profession. I believe we should continue our diligent efforts to provide access to health care for all Kansans. H.B. 2256 proposes changes that will allow ARNP's to provide expanded care under the rules and regulations established by the Kansas State Board of Nursing and within the limits of educational preparedness. Kansas has more "rural health clinics" per capita than any other state. Rural Health Clinics by definition must be staffed at least 50% of the time by ARNP's or PA's. Over 50% of the 168 Kansas rural health clinics are staffed by ARNP's providing care to Kansans, particularly in rural and sparsely populated areas of the state. Kansas also has over 25 indigent clinics providing primary care to the uninsured and under-insured Kansans. In most of the indigent clinics these services are provided by ARNP's. Kansas is well served by over 1800 ARNP's who will continue to provide quality services to our residents. Your support of H.B. 2256 will help to ensure that all Kansans have access to affordable primary health care.

Thank you for your consideration and your dedication to improving quality of life for all Kansans.

Sincerely,  
Matthew French, RN

To: Representative Morrison  
Chairperson, Health and Human Services

Dear Chairperson Morrison,

As a Kansas citizen and as a patient I am asking for your support of HB 2256, that proposes changes to the current Advance Registered Nurse Practitioner (ARNP) statues. My primary health care provider is an ARNP. She provides for my basic health care needs. I am very frustrated with the current rules that mandate she have a "responsible physician" which ends up being interpreted as "supervising Physician". So my insurance company lists her "responsible physician" as my primary care provider, even though I don't see the physician. When I get my labs it's always in the physicians name –even though the ARNP ordered the labs not the physician. As a nurse educator/researcher I am well aware of the quality of care provided by ARNPs and because of that I choose to have an ARNP as my

primary caregiver. I am concerned for my health, because I believe that some time in the future information may only go to the physician and not my primary care provider, the ARNP, who is most knowledgeable about my health and this in turn may negatively affect the quality of care I receive.

As a patient I believe this bill is very important. I thank you for considering this bill and would ask that strongly consider supporting HB 2256.

Sincerely,

Mrs. Betty Smith Campbell  
12459 SW Mockingbird  
Andover, KS 67002

316-733-7832

Dear Representative Morrison,

I am a registered voter from Topeka. Also, I am a nursing student at Baker University in Topeka. I am writing to you to give you my position on House Bill 2256. This bill, if enacted, would allow Advanced Registered Nurse Practitioners (ARNP's) to prescribe medications to patients in rural areas.

I am strongly in favor of this bill for several reasons. First, ARNP's make up a significant percentage of the health care professionals in rural areas. This is partly due to the fact that many times it is easier to recruit ARNP's to rural settings than it is to recruit doctors. However, these nurse practitioners are not allowed to independently prescribe medications to the patients under their care. This is a major barrier to the practice of ARNP's.

Second, the use of nurse practitioners in rural areas will in time reduce the health care costs of everyone. This may occur because by allowing ARNP's to prescribe medications in rural areas, more of these health care professional will be attracted to rural areas. This will cause some competition between doctors and ARNP's, which will drive down the ever increasing cost of health care.

If this bill passes it will over time help to reduce the cost of health care, which is important to me as a student nurse, as well as a possible patient. Please let me know your position on House Bill 2256. Thank you for your time and consideration.

Sincerely,  
Erica Hudson

Rep. Morrison- I am proud to introduce myself- Marilyn Douglass ARNP from Garden City, KS. I am a member of KSNA. We were informed of your "vision of healthcare for Kansas" at a legislative issues meeting in Topeka 1 week ago. I am very proud of what I do as a family nurse practitioner. People in Garden City are familiar with nurse practitioners' cares and are extremely satisfied. Our patients prefer nurse practitioners but more importantly they prefer someone who listens and looks at the whole person-

emotional and physical health. I believe that they are more likely to be compliant with cares because they are a part of the decision making of their own health. I show a patient that I care about them each time they come in or when they call. I call patients back and check on them. My (and the patient's) success is what I am truly proud of. I support your idea to remove physician supervision language from our regulations. I am organizing a list of southwest kansas arnp's to be ready to write to legislators in regards to this bill. Just wanted to say thanks! for this- sincerely-  
Meryllyn Douglass ARNP  
Garden Medical Clinic  
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Garden City, KS 67846  
[mdouglass@gardenmedical.com](mailto:mdouglass@gardenmedical.com)  
w 620 275 3789  
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Dear Chairman Morrison:

I am asking for your support of HB 2256 which proposes changes in the Advanced Registered Nurse Practitioner (ARNP) statutes. I have been practicing as a Family Nurse Practitioner for the past 7 years in Garden City. The current statutes describe "physician supervision of the plan of care..." In reality, I practice autonomously making my own decisions with my patients in regards to their plans of care. I consult a physician when I am unsure of a course of care, or when complications are present. I refer patients when the needed cares are outside my scope of practice. In reality, the physicians I work with are not aware of every single medical decision that I make. They trust my decision-making and frankly, would not want the hassle of checking each patient's care plan. This statute change would make the language equal the reality.

Secondly, I prescribe medications according to "protocols signed by the physician.." Again, this is merely a formality. My physicians have signed a cover letter that states what resources I use as my protocols for prescribing medications. I make the decisions about what medicines I prescribe, not the physicians. I use current journals or reference books or current research and guidelines to guide my decision making. It is ever-changing. The cover letter satisfies the statute requirement that my protocols are "signed by a physician," but the physician does not read all the resources that I refer to in making my decisions about medications. Again, I am the one making decisions, in collaboration with my patients, about medications and interventions. I am responsible for my decisions, not the physician which is what I prefer.

I am proud to report that patients in Garden City are very satisfied with nurse practitioners. They enjoy the time, care, consideration and collaboration that nurse practitioners provide. They choose to come back to see me because of the high quality attention I provide. My point is that nurse practitioner directed care works. Patients are very satisfied and even prefer nurse practitioners.

We provide additional primary care access in communities that are lacking adequate numbers of physicians. Examples of such communities are Tribune, Scott City, Deighton, Hugoton, Fowler, Greensburg, Liberal, Garden City, Ulysses, Meade and Protection. Presently, there is a hesitation to hire more nurse practitioners to these areas, because of worries about physician supervision and reimbursement. By supporting this bill you help to insure affordable access to care for rural areas of Kansas.

The Healing Arts Statute, K.S.A 65-2872 expressly states "that the practice of the healing arts shall not be construed to include the following persons: ...(m) Nurses practicing their profession when licensed and practicing under and in accordance with the provisions of article 11 of

chapter 65 of the Kansas Statutes Annotated, or amendments thereto, and any interpretation thereof by the supreme court of this state."

H.B. 2256 provides new language that expressly states that ARNP's are permitted to perform acts of medical diagnosis and prescription of medical, therapeutic and corrective measures commensurate within the rules and regulations established by the Board of Nursing, and within the educational preparation received. The bill also removes "Responsible Physician" language from the prescriptive authority section of the ARNP statutes.

It is important that Kansas laws appropriately reflect the practice arena. It is time for the ARNP statute to be updated. Kansas is well served by the more than 1500 practicing ARNP's and these changes will help insure that access to primary care and affordable health care are available throughout the state.

Thank you for consideration.

Marilyn Douglass ARNP-C  
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February 6, 2005

Representative Jim Morrison  
Capitol Room 272-W  
Topeka, Kansas 66612

Dear Representative Morrison:

I am writing you to ask for your support of H.B. 2256 which proposes changes to the current Advanced Registered Nurse Practitioner statutes.

Nurse Practitioners (NPs) have an unprecedented opportunity to be key physical and mental health care providers, yet barriers to independent practice and autonomy still exist. Evidence abounds about the effectiveness of NPs yet significant barriers to fully independent NP practice remains, NPs are 'marginalized' (i.e. discounted, degraded and demeaned in various ways) within the health care system. Many physicians do not accept the NP role as a legitimate role separate from medicine, because they feel economically threatened. Some NPs avoid extremely frustrating work situation, by relocating to new job settings in a different State, where they have more autonomy in decision making.

My patients frequently express their satisfaction with my care because 'you explain things so I can understand' and 'you listened to me' and express that I do not discount their input. I am both a Family Nurse Practitioner and Board Certified Psychiatric/Mental Health Nurse Practitioner and desire autonomy. I know I am competent yet a physician is required on my protocols and supervisory. This decreases my autonomy which I have worked years to achieve. I carry my own malpractice insurance and do not feel a physician should bear responsibility for my decisions nor should he/she be required on the prescriptions I write. I take full responsibility for my decision and would like recognition independent from MDs.

I have worked in the nursing field for 38 years and although I am respected by MDs as a nurse my desire is to have a legitimate role separate from medical doctors and work autonomously as a Psychiatric NP.

NPs need to be able to practice independently, by law, without physician supervision or collaboration requirement, to promote autonomy.

My education includes a Masters in Nursing from the University of Kansas School of Nursing, and my B.S.N. from Fort Hays State University. I am a long-time Kansas resident and very proud of my work in the health care system. As a Nurse Practitioner I have provided to my patients access to quality psychiatric care. In both my work as an RN and as an ARNP I have worked in a collegial and professional relationship with physicians. Physicians are, like nurses, an essential element in the health care system. My referrals to physicians have always been well received and there will always be a need for mutual consultation with some patients.

H.B. 2256 provides new language that expressly states that NP's are permitted to perform acts of medical diagnosis and prescription of medical, therapeutic and corrective measures commensurate within the rules and regulations established by the Board of Nursing, and within the educational preparation received. The bill also removes "Responsible Physician" language from the prescriptive authority section of the NP statutes. Currently NP's can prescribe medications pursuant to jointly adopted protocol with a "responsible physician". Since April, 2000 Kansas NP's have been able to obtain a DEA number and are able to prescribe scheduled drugs. This particular section of the ARNP statute, K.S.A. 65-1130 (d) is the only section that includes physician language, and was added in 1989 when prescribing was first addressed in the ARNP statutes. Kansas has "regulated" NP's through the Board of Nursing since 1978. The Healing Arts Statute, K.S.A 65-2872 expressly states "that the practice of the healing arts shall not be construed to include the following persons: ...(m) Nurses practicing their profession when licensed and practicing under and in accordance with the provisions of article 11 of chapter 65 of the Kansas Statutes Annotated, or amendments thereto, and any interpretation thereof by the supreme court of this state."

It is important that Kansas laws appropriately reflect the practice arena. It is time for the NP statute to be updated. Kansas is well served by the more than 1500 practicing ARNP's and these changes will help insure that access to primary and psychiatric care and affordable health care are available throughout the state.

Thank you for consideration.

Sincerely,

Esther Munyon ARNP, BC  
Advanced Registered Nurse Practitioner  
Master of Science in Nursing  
Psychiatric/Mental Health Nurse Practitioner, Board Certified  
Family Nurse Practitioner

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