

MINUTES OF THE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman Vicki Schmidt at 1:30 p.m. on March 7, 2011, in Room 546-S of the Capitol.

All members were present.

Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes  
Melissa Calderwood, Kansas Legislative Research Department  
Iraida Orr, Kansas Legislative Research Department  
Carolyn Long, Committee Assistant

Conferees appearing before the Committee:

Representative Kay Wolf  
Connie Hubbell, Kansas Association for the Medically Underserved  
Jason Wesco, Community Health Center of Southeast Kansas  
Debra Billingsley, Kansas Board of Pharmacy  
Chad Austin, Kansas Hospital Association

Others attending:

See attached list.

The hearing on **HB-2182—Concerning mail service pharmacies** was opened by the Chair. Representative Wolf spoke in favor of the legislation as it would allow non-resident pharmacies that were licensed in the state to participate in the Unused Medication Act program.

Connie Hubbell, Kansas Association for the Medically Underserved, supported the statements of Representative Wolf. Her association represents 39 primary care safety net clinics that all share the same mission of providing health care services without regard for the patient's ability to pay. They believe that Kansas should be a state where all individuals should have access to comprehensive, affordable and quality health care and this bill would allow adult care homes, mail service pharmacies and medical care facilities to donate unused medications to safety net clinics so they can distribute these medication to Kansans who are medically indigent (Attachment #1).

Jason Wesco, Community Health Center of Southeast Kansas, stated that his organization is a central repository where donations are made and then redistributed to eligible entities. To date they have distributed medications with a retail value of approximately \$5 million to twenty eligible organizations. s. Opening the program to out-of-state mail order pharmacies could greatly increase the volume and variety of unused medications available to Kansans (Attachment #2).

Written testimony was submitted by Robert Stiles, Primary Care Director, Kansas Department of health and Environment (Attachment #3) and neutral written testimony by Representative Tom Sloan (Attachment #4).

There being no further conferees, the hearing on \_was closed.

The Chair then opened the hearing on **HB 2082—Inspections of medical gas piping systems in hospitals**. This legislation would amend current law regarding the required qualifications of persons who install, improve, repair, maintain, or inspect any medical gas piping system with a county or city. The bill would allow limited maintenance on any medical gas piping system previously installed in a hospital when performed by hospital maintenance personnel. It would also apply to all clinics, long-term care facilities, limited care residential facilities, and joint enterprises for providing health care services that are operated in connection of a medical care facility.

Chad Austin, representing the Kansas Hospital Association, stated that hospitals across the state employ maintenance personnel to care for the hospital building and equipment. They have no interest in installing new medical gas piping systems or conducting extensive work on them, however, there are certain situations where the would be capable of performing routine maintenance (Attachment #5).

CONTINUATION SHEET

The minutes of the Public Health and Welfare Committee at 1:30 p.m. on March 7, 2011, in Room 546-S of the Capitol.

Written testimony in support of **HB 2082** was also submitted by Mike Connell, Russell Regional Hospital (Attachment #6).

There being no further conferees or discussion, the hearing on **HB 2082** was closed.

The chair then called for final action on **SB 92—State Board of Cosmetology; licensing requirements**. Staff provided explanation of a proposed balloon. Senator Kelly asked if there were any objections to the current proposed legislation by any board members. Mary Lou Davis, Kansas Board of Cosmetology said there were none. There being no further discussion, Senator Reitz moved adoption of the balloon amendment, seconded by Senator Brungardt. Motion passed. It was moved by Senator Reitz, seconded by Senator Brungardt to report SB 92 as a substitute bill and to report the substitute bill out of the Committee favorably. Motion passed.

Final action was then called for **HB 2049—Amending the controlled substances schedule regarding tetrahydrocannabinols and related substances** and **HB 2249—Adding chemical compounds known as “bath salts” to the controlled substances schedule**. As previously requested by the Chair, the language of these two bills was combined and an explanation of the combined bills was provided by staff. After reviewing additional fiscal information, it was moved by Senator Kelsey, seconded by Senator Kelly for a senate substitute bill for HB 2049. Senator Haley moved a substitute motion to maintain separation of the two bills, seconded by Senator Brungardt. Motion failed by a show of hands. The original motion for senate substitute bill for HB 2049 passed favorably. Senator Haley voted in opposition to the motion.

The next meeting is scheduled for March 8, 2011.

The meeting was adjourned at 2:20 p.m.