

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE.

The meeting was called to order by Chairperson Senator Susan Wagle at 1:30 p.m. on March 12, 2003 in Room 231-N of the Capitol.

All members were present except: Senator David Haley  
Senator Chris Steineger

Committee staff present: Ms. Emalene Correll, Kansas Legislative Research Department  
Mr. Norm Furse, Revisor of Statutes  
Ms. Margaret Cianciarulo, Administrative Assistant

Conferees appearing before the committee: Ms. Penny Bowie, Executive Officer,  
Board of Examiners in Optometry  
Mr. Gary Robbins, Executive Director  
Kansas Optometric Association

Others attending: See attached guest list

**Hearing on HB2169 - an act concerning the Kansas Board of Examiners in optometry relating to the fees charged and collected by the board**

Upon calling the meeting to order, the Chair announced there would be a hearing on **HB2169** and asked Mr. Norm Furse, Revisor of Statutes, to explain the bill. Mr. Furse stated that the bill was introduced by Health and Human Services and referred the Committee to page 2, for the first change in the bill, relating to the increase in fees that these are set by rules and regs and not by statute. (Those fees affected are the application, licensing, second exam, and subsequent exam fees.) On page three, beginning with line 6, outlines the requirements if an applicant was first licensed in another state prior to July 1, 1987. Page four, subsection (b), addresses the expiration of the license, the year being specified by the Board and subsection ©), line nine, addresses the biennial renewal fee commencing with the renewal of licenses that expire on May 31, 2004. And lastly, subsection (d) beginning on line 28, is new to the law and relates to the payment of the renewal fee by a person who has not complied with the continuing education requirements fixed by the Board entitling the person to inactive status licensure. Mr. Furse stated that there are several other Boards that have this available in other laws.

As there were no questions of Mr. Furse, the Chair called on the first proponent, Ms. Penny Bowie, Executive Officer, Board of Examiners in Optometry, who:

- 1.) listed two changes that she felt would improve the efficiency and lower costs of board operations;
- 2) stated that the bill proposes to increase the statutory limits of licensing fees; and
- 3) lists the proposed fee limits and how these fees are remitted.

A copy of her testimony is (Attachment 1) attached hereto and incorporated into the Minutes as referenced.

As she stood before the Committee for questions and comments, Senators Barnett and Salmans and Mr. Furse and Ms. Correll asked a range of questions from charity care, current annual license fee, inactive status, 24 hours of credit maintained each year, how many people involved (active licenses today), fee fund reserve, are you on a cycle, are you interested in changing this cycle to spread the dollars (staggering licenses), TORC provisions, to are you interested in any of the types of clinics similar to the dental work in Garden City?

## CONTINUATION SHEET

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The second and final proponent recognized was Mr. Gary Robbins, Executive Director of the Kansas Optometric Association, who offered an overview of what happened last season when the Board was advised by the House Appropriations Committee and the Senate Ways and Means Committee that Kansas' State Board of Examiners in Optometry fee fund would be depleted within several years of the statutory limit on licensure fees was not increased. A copy of his testimony is (Attachment 2) attached hereto and incorporated into the Minutes as referenced.

Questions from Senators Wagle and Salmans and Ms. Correll for Mr. Robbins ranged from competency issue, someone who is inactive still performing education, to Board of Nursing approaching this differently.

### **Adjournment**

As there was no opponent or neutral testimony, the Chair closed the hearing and stated that the Committee would be doing some research on the nurse's act. She then adjourned the meeting. The time was 2:10 p.m.

The next meeting is scheduled for March 13, 2003.