

MINUTES OF THE HOUSE COMMERCE AND LABOR COMMITTEE

The meeting was called to order by Vice Chairman Scott Schwab at 9:00 A.M. on March 16, 2006 in Room 241-N of the Capitol.

All members were present except:

Bob Grant- excused

Committee staff present:

Jerry Ann Donaldson, Kansas Legislative Research Department

Norm Furse, Office of Revisor of Statutes

Renae Jefferies, Office of Revisor of Statutes

June Evans, Committee Secretary

Conferees appearing before the committee:

Jack Alexander, Fire Marshal

Debra Zehr, Kansas Association of Homes and Services for the Aging

Chad Austin, Kansas Hospital Association

Cindy Luxem, Executive Director, Kansas Health Care Center

Others attending:

See attached list.

The Vice Chairman opened the hearing on **HB 2975 - Registration with fire marshal required for business providing fire prevention or fire safety services or products.**

Staff gave a briefing on **HB 2975**. The bill concerns fire prevention and safety products and services being required to register with the state fire marshal. On or after October 1, 2007, no person shall sell or offer for sale fire prevention or fire safety products or services unless the person and the product or service is first registered with the state fire marshal.

Jack Alexander, Kansas State Fire Marshal, testified as a proponent to **HB 2975**. This mandate would come with a substantial cost and would need resources to implement. There are a total of five fire related bills and would recommend these all be studied in a summer interim (Attachment 1).

Debra Zehr, Executive Vice President, Kansas Association of Homes and Services for the Aging, testified in support of **HB 2975**. This would require vendors of fire safety products and services in Kansas to register with the State Fire Marshal's Office.

The health care facility fire prevention and safety regulatory environment changed dramatically three years ago when the Centers for Medicare and Medicaid Services (CMS) adopted the National Fire Protection Association's 2000 Life Safety Code (LSC). Prior to this, CMS required compliance with the 1985 LSC. This 15-year leap in code resulted in all sorts of new requirements. Since then Kansas health care facilities have been working diligently to understand and comply with the new requirements.

HB 2975 would help the state and health care facilities know what vendors are selling what fire safety-related products and services. It is a first step to assuring that vendors are providing products and services that comply with LSC requirements that protect vulnerable citizens in health care facilities across the state (Attachment 2).

Chad Austin, Vice President, Government Relations, Kansas Hospital Association (KHA), testified as a proponent to **HB 2975**. This legislation would require that those who sell fire safety products or services, and the product or service offered for sale, be registered with the State Fire Marshal. KHA supports this bill if the goal is to crack down on fly-by-night vendors attempting to sell worthless products (Attachment 3).

Cindy Luxem, President/CEO, Kansas Health Care Association, testified as a proponent to **HB 2975**. It is believed that a certified list of products and services produced by the Fire Marshal's office would be very beneficial to long-term care providers across the state. It would be very helpful if the providers could go to a registry where they would know whether or not a product would meet the required standards (Attachment

CONTINUATION SHEET

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3).

Written testimony in support of **HB 2975** was distributed: Phyllis Kelly, Executive Director of the Kansas Adult Care Executives Association (Attachment 4).

The Vice Chairman closed the hearing on **HB 2975**.

There was a 10 minute break.

The Vice Chairman asked what the will of the Committee was on **HB 3004**?

Staff reviewed **HB 3004** that had a hearing on March 14.

Representative Sharp moved and Representative Kilpatrick seconded to accept balloon on **HB 3004**. The motion passed.

After discussion, Representative Sharp moved and Representative Kilpatrick seconded another motion amending the balloon on page 1, in line 39, by striking "include:"; by striking all in lines 40 through 42; in line 43, by striking "(2)" and inserting: "recognize as qualifying for the academic requirement under this section"; also in line 43, by striking all after "placement"; and on page 2, in line 1, by striking all before "by" and inserting "examination grades earned"; in line 2, by striking "under an advance placement program"; in line 5, by striking "statute book" and inserting "Kansas register". The motion carried.

Representative Ruff said she would support a Proviso to help the young lady out but would not support this bill.

Chairman Dahl moved and Representative Kiegerl seconded a "gut and go" that would insert **HB 3004** as amended into **SB 518**.

A show of hands was called on the motion: Yeas - 8 and Nays - 9. The motion failed.

Chairman Dahl said the Senate Chairman agreed to work these bills this way. This would allow the bill to move through the legislative process considering the short time remaining.

Representative Sharp moved and Representative Kilpatrick seconded to move **HB 3004** out favorably as amended. The motion carried..

A show of hands was called on the motion: Yeas - 9 and Nays - 8. The motion carried.

The Chairman thanked the Committee for their work on some difficult legislation this session and told them they had done an excellent job with many controversial subjects. The work has been completed so this would be the last meeting for this year.

The meeting adjourned at 10:25 a.m.