

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairman Jim Morrison at 1:32 p.m. on January 22, 2004, in Room 526-S of the Capitol.

All members were present.

Committee staff present:

Dr. William Wolff, Legislative Research Department
Renaë Jefferies, Office of Revisor of Statutes
Gary Deeter, Secretary

Conferees appearing before the committee:

Mack Smith, Executive Secretary, Kansas Mortuary Arts Boards
Pam Scott, Executive Director, Kansas Funeral Directors and Embalmers Association
Ron Hein, Kansas Society of Radiologic Technologists

Others attending:

See Attached List.

The minutes for the January 20 and January 21 meetings were approved.

Mack Smith, Executive Secretary, Kansas Mortuary Arts Board, requested the introduction of a bill that would, among other things:

- Define where a dead human body may taken upon removal from the place of death;
- Give the Mortuary Arts Board further subpoena authority;
- Change some requirements for those taking an examination for an embalmer's license.

(See Attachments 1 and 2)

The Committee passed a motion to introduce the bill.

Pam Scott, Executive Director, Kansas Funeral Directors and Embalmers Association, requested the introduction of two bills. (Attachment 3) The first proposes to amend **K.S.A. 16-303** in order to increase the amount of funds allowed in an irrevocable funeral service agreement from \$3500 to \$5000. She said the bill would have no fiscal impact on the state.

A motion was made, seconded and passed to introduce the bill.

The second bill request from Ms. Scott was to amend **K.S.A. 65-1762** to require the operator of a licensed crematory to hold a Kansas funeral director's or embalmer's license. (Attachment 4) She said that this bill likewise would result in no cost to the state.

A motion was passed by the Committee to introduce the bill.

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Representative Bob Bethell requested the introduction of four bills:

1. A revision in the Administrator in Training program as recommended by the interim Long-term Care Task Force.
2. Establishing an informal dispute resolution process between Kansas Department of Aging and individual nursing facilities
3. Move the certification of Certified Nursing Aides, Certified Medication Aides, Home Health Aides from the Kansas Department of Health and Environment to the Kansas Board of Nursing.
4. Allow the use of "Paid Nutrition Aides" in nursing facilities, reflecting standards established by the Centers for Medicaid and Medicare Services (U. S. Health and Human Services)

A motion was made, seconded and passed to introduce these four bills by the Committee.

Ron Hein, representing the Kansas Society of Radiologic Technologists, referring to the previous year's **HB 2274** (licensure of radiologic technologists), requested a new bill to be introduced by the Committee. He said changes had been made to answer concerns and objections made by other groups, especially the difficulty in finding fully-trained technologists in physicians' offices and in rural hospitals. (Attachments 5 and 6)

The Committee passed a motion to have the bill introduced.

Assuming the Chair, Representative Neighbor continued the hearing on **HB 2513**. The remainder of the committee time was given over to questions by Committee members to conferees from the previous day's hearing: Dr. Gianfranco Pezzino, State Epidemiologist; KDHE, Gary Haulmark, representing Cerner Corporation; and Jeff James, software engineer for Cerner.

Dr. Pezzino answered a series of questions. He said if the proposed bill were implemented, its greatest positive impact would be to enhance receiving electronic reports from laboratories, stating that little else would change from what the agency is currently doing. He also noted that the Cerner system is well adapted to metropolitan-area reporting but not to rural areas. He said presently the agency receives data from HealthSentry (Cerner) through Kansas City, Missouri, health-care entities, but keeps it separate from the agency's HAWK system and accesses it separately. He said Cerner and HAWK function differently, that HAWK was developed in 1999 and continues to be enhanced on a regular basis, and that new standards are built into the system as they are established.

Mr. James said that HealthSentry is not better than HAWK, just different, stating that if HealthSentry were adopted, HAWK would continue as it is, the main difference being that HealthSentry would provide more comprehensive laboratory reporting.

Members discussed costs. Mr. Haulmark estimated it would cost the state about \$1 million to implement

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HealthSentry in all 35 laboratories across the state. It was noted that grants were available from the federal Centers for Disease Control, that \$4.4 billion was allocated by the federal government to combat bio-terrorism, and that last year about \$80 million in federal dollars was allocated to KDHE.

Representative DeCastro stated that, beginning in 1999, Kansas became a forerunner in electronic reporting of communicable diseases and is still considered a model among the dozen state that have electronic disease-tracking. She expressed concern that the bill veers from setting policy to automatically selecting a vendor. Representative McLeland noted that any information technology project costing over \$250,000 must be approved by the Joint Committee on Information Technology. Members agreed that, if the bill passes, the reporting system would necessarily be submitted for bids.

Other members expressed various thoughts: that the Cerner system appeared to offer more breadth of reporting; that KDHE's present system seemed to be lagging behind the technology; and that Cerner's laboratory-reporting system appeared to be exceptionally effective.

Chairperson Neighbor closed the hearing on **HB 2513**. Chairman Morrison adjourned the meeting at 3:03 p.m.