

Approved: February 11, 2004
Date

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairman Jim Morrison at 1:30 p.m. on February 10, 2004, in Room 526-S of the Capitol.

All members were present except Representatives Landwehr and McLeland, both of whom were excused.

Committee staff present:

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

Conferees appearing before the committee:

Michael Byington, President, Kansas Association for the Blind and Visually Impaired

Others attending:

See Attached List.

For purposes of hearing **HB 2388**, the chair was shared by Representatives Flaharty and Mast. Representative Mast opened the hearing on the bill and welcomed Michael Byington, President, Kansas Association for the Blind and Visually Impaired, who spoke as a proponent for the bill. ([Attachment 1](#)) Giving some background for his organization, he said the association was founded in 1920 and was instrumental in persuading the Kansas legislature in the 1930s to designate a special government entity to provide services to the blind. He commented that state services to the blind through Kansas Social and Rehabilitative Services (SRS) was reduced in 1999, noting that since then further disintegration of services has occurred, especially for the newly blind and visually impaired. He stated that, although there is an excellent training facility for the blind, presently there are no state-wide specialized services for the blind for job preparation or other assistance. He said that about 24 of the 50 states have a freestanding Commission for the Blind, and he questioned the accuracy of the \$681,000 fiscal note from the Division of Budget, noting that a Commission for the blind would strengthen and integrate the service delivery system and restore administrative cohesiveness for those who are blind or visually impaired. He said that having a separate Commission would provide more effective service to the blind.

Addressing the staff briefing from the previous day, Mr. Byington sought to elucidate various aspects of the bill. ([Attachment 2](#)) He said the reference to the governing board refers to the members of the Commission, who govern the Commission. The Commission itself is the government service agency. Explaining the difference between the Council and the Commission, he said the federal regulations of the Federal Rehabilitative Act require a rehabilitative council as well as the Commission, both of whom must file a rehabilitative plan to satisfy the federal regulations. Thus the reference in the bill to both a Council and a Commission. He agreed that approval for Commission members should be done through the Senate rather than confirmation by both houses.

Answering questions, Mr. Byington said that present employees who specialize in helping the blind in rural areas are already under SRS and could be incorporated into the proposed new service provider. He

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noted that presently SRS services are brought to the client's home, a process that would continue under the bill. He said there are about 5000 blind and visually impaired individuals in Kansas.

The Chair noted that written testimony supporting the bill was provided by Nancy Johnson. ([Attachment 3](#))

Staff Bill Wolff gave a briefing on **HB 2538**, a bill which proposes to establish a drug repository through the State Pharmacy Board. Dr. Wolff said the bill creates a drug repository program to accept and donate prescription drugs, allowing any person, including drug manufacturers and health-care facilities, to donate drugs to a drug-repository, which would then be distributed to the needy. He stated that the Pharmacy Board is given authority to develop rules and regulations to administer the program, noting that Section 3 relieves those who participate in the program from liability. Answering a question, he said that other states have similar programs.

Chairman Morrison suggested working **SB 106**, which directs the Kansas Department of Health and Environment to identify health needs and develop programs to meet these needs.

A motion to keep the bill tabled failed.

A motion was made and seconded to amend the bill to correct spellings on lines 31 and 32 ("Kansans" and "complimented.") The motion passed.

A motion was made and seconded to pass the bill out of committee favorably as amended. The motion passed.

The Chair announced that **HB 2513** had been re-referred to the Joint Committee on Information Technology, and that **HB 2478** had been re-referred to the House Judiciary Committee.

A motion was made and seconded to pass out favorably **HB 2737**, a bill to license athletic trainers.

The Chair reviewed the purpose of bill, which was to change the term *registration* to *licensure*. Members commented that the bill adds no benefit for the people of Kansas, but it does elevate the status of athletic trainers.

Members discussed the technical amendments recommended by Larry Buening, Executive Director, Kansas Board of Healing Arts. (Testimony on 2-9-04) The Committee passed a motion accepting the three amendments outlined in Mr. Buening's testimony.

The Chair gave a brief history of the turf battles in previous years when professions sought not only changes in designation, but laid claim to protected scope of practice from other professions. He said he wanted to see more negotiation and collaboration among professions such as was demonstrated by the athletic trainers.

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The motion passed to recommend **HB 2737** favorable for passage as amended.

The meeting was adjourned at 2:45 p.m. The next meeting is scheduled for 1:30 p.m. on February 11, 2004, in Room 526-S of the Capitol.