

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE.

The meeting was called to order by Chairperson Jim Morrison at 1:34 p.m. on February 11, 2003, in Room 243-N of the Capitol.

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

Committee staff present:

Bill Wolff, Legislative Research Department  
Renae Jefferies, Revisor of Statutes' Office  
Gary Deeter, Committee Secretary

Conferees appearing before the committee:

Robert Day, Director of Medical Policy, Division of Health Care Policy, Social and Rehabilitative Services  
Robert Williams, Executive Director, Kansas Pharmacists Association  
Jerry Slaughter, Executive Director, Kansas Medical Society  
Ernest Pogge, Chair, Topeka Satellite Group, Association of Retired Persons  
Carolyn Middendorf, MSN, RN, Kansas State Nurses Association  
Jim Murphy, Kansas Department of Health and Environment

Others attending: See Guest List.

Representative Bethell chaired the hearing on **HB 2116**, proposed legislation establishing a Kansas Health +Commission.

Robert Day, Director of Medical Policy, Division of Health Care Policy, Social and Rehabilitative Services (SRS), spoke in support of the bill, saying that if the bill passed, SRS would cooperate with the Commission as staff was available. (Attachment 1) He noted that nationally the cost of health care in 2001 was 14.1% of the gross domestic product and was projected to increase to 25% within 10 years, a significant shift that required forward-looking public policy such as the Commission might provide. Answering questions, Dr. Day said presently there is no statewide coordinated health policy. He said Post Audit addresses more narrow health concerns, as does the Kansas Health Institute, and neither deals with broad health policy. One member expressed concern that of the 22 members, only 4 were elected; another, that creating health-care policy was a crucial need.

Robert Williams, Executive Director, Kansas Pharmacists Association, spoke in support of the proposed legislation, noting that a pharmacist is now considered an integral part of any treatment plan; he recommended that a pharmacist be included as a member of the Commission. (Attachment 2)

Mike Hammond, Interim Executive Director, Association of Community Mental Health Centers, testified in support of the bill, suggesting two changes: one, making one member of the Commission a member of a community mental health organization; and, at another point, designate as a member one whose family member is receiving mental health services. (Attachment 3)

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Jerry Slaughter, Executive Director, Kansas Medical Society, supported the concept of the bill. He commented that Kansas is lacking a public body where dialogue can develop health-care policy; he suggested that Section 1, page 3, sub-section f, clarify the purpose of the Commission. He noted that a Commission might consolidate all health-care activities into one state agency. (Attachment 4)

Ernest Pogge, Chair, Topeka Satellite Group, Association of Retired Persons, spoke in support of the bill, noting that because of escalating health costs, the proposed Commission could provide a degree of guidance in marshaling health-care resources and emphasize collaboration among health-care providers. (Attachment 5)

Carolyn Middendorf, MSN RN, Kansas State Nurses Association, testified in support of the bill, suggesting two changes: 1) That the word “oversee” in the first sentence be changed to “review and recommend;” and 2) The clause, “. . . make a determination of what should be the appropriate levels and delivery of services in Kansas,” overreaches, intrudes into spheres of practice better left to the separate disciplines, and should be restated. (Attachment 6)

Jim Murphy, Kansas Department of Health and Environment, asked that, if the bill is recommended for passage, KDHE be given as much flexibility as possible to assist the Commission in carrying out its duties.

A fiscal note from Duane Goosen, Director, Division of the Budget, indicated that the fiscal impact of the bill would be negligible. (Attachment 7)

The Chair closed the hearing on **HB 2116**.

By motion and second, HB 2155, giving out-of-state dentists and dental hygienists a temporary license to serve indigent Kansans in free clinics, was recommended favorable for passage. Staff had prepared two balloon changes in wording: the title to include dental hygienists, and replacing “temporary permit,” with “temporary license” for any out-of-state licensed dentist or dental hygienist. (Attachment 8) A motion was made and seconded to accept these amendments, and to replace “. . . is not licensed to practice dentistry in Kansas” (Page 2, Section 2. (b) (3) with “practice as a dental hygienist.” The motion to amend passed.

Further discussion centered on whether the exclusion of a person who had failed a Kansas dental board test was important. A motion was made and seconded to strike the “failed test” exclusion. By vote of 7 to 11, the motion failed.

The motion to recommend the bill as amended favorable for passage was passed unanimously.

Staff Bill Wolff briefed the Committee on **HB 2234**, a bill allowing uniform licensure reciprocity for

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licensed individuals moving into Kansas. He said for certain skill levels (baccalaureate counselors and social workers and some psychologists), the out-of-state license must be equivalent to Kansas standards. Further, the person must demonstrate compliance with standards the Behavioral Science Regulatory Board sets forth; the person must have practiced the previous 5 years; and there had been no disciplinary actions against him/her. He said for higher levels (MSW, psychotherapist, clinical professional counselors, clinical marriage and family therapists, Phd-level psychologists) more stringent standards applied: the person must not only hold a license equivalent to Kansas standards, but must pass a clinical exam, have three years of clinical practice, and receive attestation of competency from a recognized authority. He noted that statutory fees were set for licensing the various disciplines.

The meeting was adjourned at 2:43 p.m. The next meeting will be on Wednesday, February 12, 2003, in Room 243-N of the State Capitol.