

## MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairperson Peggy Long at 1:31 p.m. on February 3, 2004, in Room 526-S of the Capitol.

All members were present except:

Representative Brenda Landwehr- excused  
Representative Scott Schwab- excused  
Representative Joe McLeland - excused

Committee staff present:

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

Conferees appearing before the committee:

Representative Patricia Barbieri-Lightner

Others attending:

See Attached List.

The Chair recognized Representative Kirk, who requested the Committee sponsor three bills. She said the first would allow nursing facilities and assisted living facilities to be added to the statutes which list health care providers and all associated benefits.

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

Representative Kirk said the second bill would establish a medical review panel, providing a mechanism to handle malpractice claims before they go to court.

A motion was seconded and passed to introduce the proposed legislation as a Committee bill.

Representative Kirk said the third bill assures that the Kansas Department of Health and Environment will provide emergency contraceptive information to women.

The Committee passed the motion to sponsor the bill.

Representative Patterson requested the Committee sponsor a bill defining a fetus as an unborn child, thereby bringing Kansas into alignment with the federal definition addressing the same issue.

After a question regarding possible duplicative legislation on the issue, the Committee passed a motion to sponsor the bill.

## CONTINUATION SHEET

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE at 1:30 p.m. on February 3, 2004, in Room 526-S of the Capitol.

For purposes of hearing [HB 2562](#), Representatives Showalter and DeCastro shared responsibility. Representative DeCastro opened the hearing on [HB 2562](#), which proposes to create a care-giver's authorization affidavit for children and minors.

Representative Barbieri-Lightner testified as a proponent of the bill. ([Attachment 1](#)) She said the bill provides authorization for relatives of minor children, enabling them to enroll children in school and make medical and dental decisions for minor children. She noted that many relatives in Kansas are raising children without being legal guardians.

Answering questions, Representative Barbieri-Lightner said the wording for the proposed legislation came from a California statute. She said certain wording could be tailored to fit Kansas. To another question, she replied that the bill intends to give a care-giver the authority to act in place of a parent. She said it would be possible for a non-custodial parent to take advantage of the law, but the intent of the law is to assist relatives who are not legal guardians to care for minor children

Ernie Kutzley, AARP, did not appear but provided written testimony supporting the bill with ([Attachment 2](#)).

The Kansas Department of Social and Rehabilitative Services also did not appear, but provided written testimony regarding an error in the wording of the bill. ([Attachment 3](#))

The Chair closed the hearing on [HB 2562](#).

With nothing more to come before the Committee, Chairperson Long adjourned the meeting at 1:50 p.m. The next meeting is scheduled for Wednesday, February 4, at 1:30 p.m.