

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 9, 2004, in Room 526-S of the Capitol.

All members were present except Representative McLeland, who was 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:

Steve Barrett, President, Kansas Athletic Trainers' Society  
Aric Warren, Program Director, Health, Sport and Exercise Science, University of Kansas  
Steve Ice, Head Trainer, Washburn University  
Larry Buening, Executive Director, Kansas Board of Healing Arts  
Charles Mossman, Kansas Chiropractic Association

Others attending:

See Attached List.

The minutes for the February 5 meeting were approved.

The Chair encouraged members during hearings to ask questions, but reserve comments for working a bill.

Chaired by Representatives Williams and Goico, Representative Williams opened the hearing on [HB 2737](#), a bill changing Athletic Trainers from registration to licensure.

Steve Barrett, President, Kansas Athletic Trainers Society, spoke as a proponent. ([Attachment 1](#)) He said that he represented 265 registered athletic trainers currently working in Kansas. He noted that only the terminology change from registration to licensing is addressed in the bill except for a few changes requested by the Kansas Board of Healing Arts to standardize the language. He said athletic trainers went through the standard credentialing process in 1989 and became registered in 1996, stating that on January 1, 2004, the education for athletic trainers became standardized and more rigorous. Moving from registration to licensure will put the athletic trainers on the same level as allied health-care providers and assure parents that injured athletes are receiving the best possible care.

Answering questions, Mr. Barrett said that 70% of athletic trainers have advanced degrees in the field. He said the fee increase was requested by the Board of Healing Arts. He replied, as the bill is presently worded, that licensure does not include a scope of practice.

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Aric Warren, Program Director/Athletic Training, Health, Sport and Exercise Science, University of Kansas, reviewed the formalized system of training now required of athletic trainers, noting that the previous certification through an apprentice program had been abolished, saying that only through an accredited college program can an athletic trainer now become certified. ([Attachment 2](#)) He said that the degree program requires comprehensive training in 12 content areas, two years of clinical training, continuing education, and re-certification every 5 years. He concluded by saying that licensure is more fitting for the advanced education requirements now in effect.

Answering questions, Mr. Warren said the Kansas accepts the National Athletic Trainers Association exam to measure competence. He replied that licensure better protects the public, but could not satisfy member queries as to how this was accomplished. He said athletic trainers focus primarily on sports injuries.

Tom Bruno, legislative liaison for the Athletic Trainers, reiterated that nothing in the bill carves out a scope of practice and that the bill will change nothing from what athletic trainers presently do. Mr. Warren assured members that present athletic trainers who do not meet the new standards will not lose their certification. He said that all practice is under the supervision of a physician; patients have no direct access to athletic trainers.

Steve Ice, Head Trainer, Washburn University, reviewed the growth of the program at Washburn, saying that licensure was an appropriate step for a growing profession. Answering questions, he said that licensure adds stature in the mind of the public. ([Attachment 3](#))

Larry Buening, Executive Director, Kansas Board of Healing Arts, spoke as a proponent for the bill. ([Attachment 4](#)) Providing background, he said that until 1999, the Board considered independent practitioners as appropriate for licensure and those under supervision to be registered. However, he said, over the years licensure has become more common among a variety of health-care practitioners. He stated that the athletic trainers have worked closely with the Board to develop suitable language, and the Board endorses their desire for licensure.

Charles Mossman, Kansas Chiropractic Association, testified as a proponent. ([Attachment 5](#)) He stated that, although previously chiropractors had opposed efforts for health-care providers to move from registration to licensure, they support the athletic trainers and consider them valuable support in the health-care field, noting that the bill does not attempt to create a protected scope of practice.

Answering a question, staff Bill Wolff said that the credentialing act requires that all health-care providers go through a credentialing process.

Marla Rhoden, Director, Health Occupations Credentialing, Kansas Department of Health and Environment, spoke as an opponent to the bill, saying that the Kansas legislature established the credentialing act in order to protect public health and safety, assigning the Kansas Department of Health and Environment the responsibility of providing a thorough analysis of any groups desiring credentialing and making recommendations to help the legislature make informed decisions. ([Attachment 6](#)) She said

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that KDHE opposes the bill because it bypasses the credentialing process set forth by the credentialing act. Answering questions, she said that the terms *registration* and *licensure* carry different meanings in different states and have no uniform definition.

The Chair noted a list of proponents who did not appear, but who provided written testimony:

- Chuck Broyles, college football coach ([Attachment 7](#))
- Jerlyn Peak, Susan B. Allen Memorial Hospital ([Attachment 8](#))
- Brad Rea, PA, ([Attachment 9](#))
- Bill Weatherly, Athletic Director, Garden City High School ([Attachment 10](#))
- Mark Williams, DO, Garden City ([Attachment 11](#))
- Michael Baughman, MD ([Attachment 12](#))
- Mark Stovak, MD, Via Christi Sports Medicine ([Attachment 13](#))
- Scott Winslow, Governmental Affairs Chair, Kansas Athletic Trainers' Society ([Attachment 14](#))
- Brent Jones, Activities Director, Circle High School ([Attachment 15](#))
- Lawrence Magee, MD, Director of Sports Medicine, University of Kansas ([Attachment 16](#))

The Chair closed the hearing on **HB 2737**.

Staff Bill Wolff provided a briefing on **HB 2388**, which creates an independent Commission for the blind and visually impaired. He stated that Section 2 lays out the purpose of the bill: to assist the blind in gaining employment and in increasing their skills for living in the community, noting that Section 4 actually creates the Commission—5 members appointed by the Governor and approved by a majority of the legislature. He commented the bill is unique in requiring approval by the entire legislature, since that responsibility is normally reserved for the Senate. He said that several references in Section 4 are not consistent, referring sometimes to the Commission and sometimes to the governing board of the Commission, at one point designating a director to hire staff and another time the Commission to hire employees. He said that Sections 6 and 7 each give a list of what the Commission shall do; after Section 7, the subsequent sections often have repetitive wording that could be merged into earlier sections of the bill. After noting that Section 15 creates a rehabilitative council, he said the bill gives a list of collaborative and strategic duties that are shared between the council and the commission, noting that the bill is not always clear as to whether the council is advisory.

The Vice-Chair closed the meeting at 2:59 p.m. The next meeting is scheduled for Tuesday, February 10, 2004, at 1:30 p.m.