

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 12, 2003, in Room 243-N of the Capitol.

All members were present except Representatives Landwehr, Goico, and Patterson, all 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:

Phyllis Gilmore, Executive Director, Behavioral Sciences Regulatory Board
Larry Hays, Chief Psychologist and Director of Research, Prairie View, Newton
Sky Westerlund, Executive Director, Kansas Chapter, National Association of Social Workers

Others attending: See Guest List.

A motion was made, seconded and passed to approve the minutes for February 10, 2003.

For purposes of hearing **HB 2234**, Representative Phelps chaired the meeting.

Phyllis Gilmore, Executive Director, Behavioral Sciences Regulatory Board (BSRB), appeared in support of the bill, which allows licensure reciprocity. She explained that the BSRB is the licensing board for most of the state's mental health professionals. (Attachment 1) She said the proposed legislation allows for licensure of out-of-state mental health professionals moving into the state if three criteria are met:

- The individual has been licensed continuously in another state for the past five years;
- The person is licensed in good standing; and
- The individual holds a degree in his/her respective profession.

Ms. Gilmore said with increasing citizen mobility and the trend toward common national standards, removing barriers to licensure is good economic policy and will provide adequate protection to the public.

Answering questions, Ms. Gilmore said in the past 3 years about 117 out-of-state individuals inquired about licensure and did not pursue a license; in the same 3-year period, 91 others followed through with further education or supervision to obtain a Kansas license.. With this bill, an applicant could be cleared in a few days; without it, the process takes 3-4 weeks. She said under the present structure, out-of-state applicants often find it expensive to meet licensure regulations, nothing that there is a lower level for reinstatement of Kansas licensees than for out-of-state applicants, a disparity which erects unnecessary barriers for those moving into the state. She stated that, under current law, those who qualify for the clinical level need not take national exams. She explained that even though social workers, who object to

CONTINUATION SHEET

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE at on February 12, 2003, in Room 243-N of the Capitol.

the bill, make up the highest percentage of licensees, the BSRB's responsibility is to protect the consumer and make good public policy, not protect any given profession. She noted that the Board vote was 9-2 in favor of the bill. Larry Hays, a Board member, said 100 hours of continuing education is required for him to renew his biennial license. Ms. Gilmore said social workers in Kansas City, who often cross state lines to work, expressed gratitude for the bill.

Larry Hays, Chief Psychologist and Director of Research, Prairie View, Newton, and a BSRB member, spoke in support of the bill. ([Attachment 2](#)) He said that those from out-of-state who had been licensed 20-30 years ago cannot meet present Kansas standards, even though they may have had an unblemished career; delaying licensure for such individuals is costly to the individual and to the prospective employer.

Sky Westerlund, Executive Director, Kansas Chapter, National Association of Social Workers, spoke in opposition to the bill, saying the bill would lower standards for clinical social work licensure. She recommended reciprocity for those meeting clinical standards, but not for those at a lower level. ([Attachment 3](#)) Members questioned the 10-year-practice requirement as arbitrary. Ms. Westerlund acknowledged that the 10-year mandate had no precedent. Members expressed concern that such a standard might elicit a punitive response from other states. Answering further questions, Ms. Westerlund said the present economic stagnation was having a negative effect on social worker employment.

The Chair noted three written testimonies: by Ann Weick, Dean and Professor, University School of Social Welfare ([Attachment 4](#)); by Susan Sanders, LCSW, Shawnee Mission ([Attachment 5](#)); and by Tamara Hawk, LCSW, Manhattan. ([Attachment 6](#)) The Chair closed the hearing on **HB 2234**.

Staff Bill Wolff briefed the Committee on **HB 2207**, registration for pharmacy technicians. He said the term has already been defined in statute; this proposed legislation requires a pharmacy technician to pass an exam approved by the Kansas Board of Pharmacy and to pay an annual fee not to exceed \$50. He said present technicians would be granted a two-year window of employment.

Regarding **HB 2115**, Dr. Wolff said the bill opens the position of Health Director for the Division of Health, Kansas Department of Health and Environment, to a Masters-level RN or a Masters-level Public Health Administrator, whereas presently the position requires a physician to be Director.

Concerning **HCR 5008**, Dr. Wolff said school nurses are already functioning as first responders, that statutes do not designate anyone except an Emergency Medical Technician as a first responder, and that an RN's training goes far beyond that of an EMT. He said any nurse responding to an emergency is already protected by the Good Samaritan statute. Representative DeCastro commented that the resolution was patterned from a national resolution, was requested by the Kansas School Nurses Association, and might make Kansas eligible for federal grants.

The meeting was adjourned at 2:43 p.m. The next meeting is scheduled for Thursday, February 13, 2003.