

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE.

The meeting was called to order by Chairperson Jim Morrison at 1:33 p.m. on February 24, 2003, in Room 143-N of the Capitol.

All members were present except Representative Landwehr and Reitz, both of whom were excused.

Committee staff present:

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

Conferees appearing before the committee: None

Others attending: See Attached Guest List

The minutes for the February 18 and February 19 meetings were approved by proper motion, second, and unanimous vote.

The Chair announced that some of the bills before the committee might be discussed after Turnaround.

A motion was made, seconded and passed to discuss **HB 2169** for possible action. A second motion was made, seconded and passed to recommend **HB 2169** favorable for passage.

A motion was made and seconded to recommend **HB 2161** favorable for passage. Discussion centered around how a dental hygienist can bill Medicaid indirectly for services outside the dental office. Ron Gaches, representing the Kansas Dental Hygienist Association, said the bill removes a barrier to dental service in Kansas, and that billing could be accomplished through the dentist's office or through the organization where the service was provided.

A motion was made, seconded, and passed to accept the balloon amendment to **HB 2161**. (Attachment 1)

Further discussion focused on parental consent before a dental hygienist provides service to a student. Representative DeCastro noted that because such service is invasive, such consent is needed. A motion was made and seconded to amend the bill to include the consent of a parent or legal guardian for underage persons. The amendment passed. A further amendment passed which changed the word *student* to *person* on page 3, line 3.

The Committee then recommended **HB 2161** favorable for passage as amended.

A motion to reopen discussion of **HB 2161** was seconded and passed.

## CONTINUATION SHEET

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE at on February 24, 2003, in Room 143-N of the Capitol.

Representative DeCastro expressed concern about billing procedures, especially if done through a school district, which might divert such payments into the general fund. Discussion included concern that smaller school districts might be excluded from receiving services with such an amendment. Representative DeCastro withdrew her amendment.

A further motion was made, seconded and passed to recommend **HB 2161** as amended favorable for passage.

A motion was made and seconded to recommend **HB 2171** favorable for passage. The motion passed unanimously.

The Committee began consideration of **HB 2172**. After some discussion, a motion was made and seconded to recommend **HB 2172** favorable for passage. Further discussion elicited a substitute motion and second to hold **HB 2172** for further consideration during the 2004 legislative session. After discussion regarding the added fiscal burden created by the bill, the motion passed.

The Committee began discussion of the **HB 2254** balloon amendment. (Attachment 2) Bill Wolff noted that the bill creates conflicts between two sets of statutes:

- One set of statutes defines an adult, the other set does not;
- One set of statutes relies on the corrective action of Kansas Department of Health and Environment; the other relies on the investigation of Social and Rehabilitative Services and law enforcement;
- One set refers to a “resident,” the other to an “adult.”

A motion was made, seconded and passed to recommend **HB 2254** favorable for passage.

After discussion by the Committee, a motion was made and seconded to amend **HB 2254** by including the balloon. The Committee discussed on what basis an adult is considered incapacitated or exploited, who should provide protective services, and whether hospice and home and community-based services were included in the bill. Dr. Wolff commented that government-assistance providers included a variety of service providers, but that the focus of the bill was not who provided services, but rather who should report abuse.

The Committee agreed to continue discussion on **HB 2254** at the next meeting, which is scheduled for Tuesday, February 25, at 1:30 p.m. The meeting was adjourned at 2:57 p.m.