

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE.

The meeting was called to order by Chairperson Jim Morrison at 1:31 p.m. on February 17, 2003, in Room 243-N of the Capitol.

All members were present except Representative Landwehr, who was excused.

Committee staff present:

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

Conferees appearing before the committee:

Penny Bowie, Executive Officer, Board of Examiners in Optometry
Gary Robbins, Executive Director, Kansas Optometric Association

Others attending: See Guest List.

A motion was made, seconded, and passed to approve the minutes for February 12, 2003, and February 13, 2003.

Staff Bill Wolff briefed the Committee on **HB 2169**, addressing fees collected by the Board of Examiners in Optometry. He said the bill allows application fees to be raised from \$150 to \$400, the license exam fee from \$30 to \$150, retaking the exam from \$75 to \$150, and, changing the renewal to biennial, from \$150 to \$800. He noted that these were the statutory limits; the actual fees would be set by rules and regulations of the Board. He said the bill also creates an inactive license.

With Representative Willa DeCastro as chair, the hearing was opened for **HB 2169**. Penny Bowie, Executive Officer, Board of Examiners in Optometry, explained that the biennial renewal will reduce the office workload by 20%. She stated that the inactive status would allow some optometrists who practice in other states to keep their Kansas license, allowing them to easily return to Kansas to practice. (Attachment 1) She said the license fees had not been changed for 13 years, noting that by 2005 the present fee structure would leave no ending balance for the Board. With the change, by 2005 the fund would have \$121,880 and the State General Fund would receive \$30,470.

Gary Robbins, Executive Director, Kansas Optometric Association, said that the increased fees more accurately reflect the cost of Board operation, noting that small incremental increases are more costly for the state if a bill must be passed every few years. (Attachment 2) Answering questions, Mr. Robbins said the first increase would probably be \$50—increasing the renewal fee from \$150 to \$200 or \$225. He estimated it would take 10 years to reach the statutory maximum.

A fiscal note from Duane Goosen, Director, Division of the Budget, was included as written testimony. (Attachment 3)

CONTINUATION SHEET

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE at on February 17, 2003, in Room 243-N of the Capitol.

Staff Bill Wolff provided a briefing for **HR 6005**, which addresses the significance of prescription medication to improve health care. (Attachment 4)

A motion and second were offered to recommend **HR 6005** favorable for passage and place it on the House Consent Calendar. The motion passed unanimously.

Dr. Wolff gave a briefing on **HB 2274**, the licensure of Radiologic Technologists, who would be placed under the regulation of the Kansas Board of Healing Arts. He explained the concept of licensure: that radiologic technologists would receive exclusive right to this practice and that the title would be protected, the exceptions to such protected practice being physicians, medical residents and students, military service personnel, and dentists, dental assistants, and dental hygienists. The bill would create an advisory council to assist the Board in developing and administering rules and regulations; it also allows reciprocity for equivalent licensure from other states. Those presently in practice would be allowed three years to obtain a license if they had practiced at least 2 of the three years. He said the fee schedule would be established by the Board, with 80% going to the Board and 20% to the State General Fund. Answering questions, Dr. Wolff said a pharmacist preparing chemotherapy medications for an x-ray would not fall under the scope of the bill. He said that in small clinics, Kansas statutes grant broad delegation by a physician.

Dr. Wolff then briefed the Committee on **HB 2161**, which would allow dental hygienists to work off-site with the agreement of a dentist. He said current law allows both direct supervision (the presence of the dentist) and general supervision (off-site work at adult care homes, state institutions, health-care clinics) so long as the treated individuals had been seen by the dentist within the past year. He said the bill extends that off-site supervision to schools, Head Start, correctional institutions, and certain federally-eligible students. He noted that the bill also creates two "extended care permits," requiring a dental hygienist to carry personal liability, have special training, and have a written agreement with a sponsoring dentist to monitor his/her work off-site.

Mr. Wolff suggested an amendment to say that the Dental Board *shall* issue permits, since, as the bill stands, the Board is not authorized to do so.

The Chair opened Committee discussion on **HCR 5008**. A motion and second were made to pass the bill out favorably; a substitute motion with second was made and was unanimously passed, recommending that the bill be placed on the Consent Calendar.

The Committee, by motion and second, unanimously recommended **HB 2207** favorable for passage.

The meeting was adjourned at 2:37 p.m. The next meeting is scheduled for 1:30 p.m. on Tuesday, February 18, 2003.