

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairman Jim Morrison at 1:32 p.m. on March 22, 2004, in Room 526-S of the Capitol.

All members were present except:

Representative Cindy Neighbor- 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:

None

Others attending:

See Attached List.

The minutes for 3-18-04 meeting were approved as printed.

A motion was made and seconded to recommend **SB 425** as favorable for passage. The motion passed.

A motion was made, seconded and passed to consider **SB 511**, a bill establishing screening of newborn infants for hearing loss.

A motion was made and seconded to amend **SB 511**, deleting all of Section 5 on page 2. The motion to amend passed with one dissent.

The Committee discussed the implications of **SB 511** as amended. When one member commented that removing the medical provider (Section 5) defeats the reason for having the bill, another member noted that physicians are already licensed and sufficiently credentialed; removing the primary medical care provider simply limits the Kansas Department of Health and Environment (KDHE) in establishing standards. The Revisor noted that the bill as amended establishes broad limits.

A motion was made, seconded and passed to recommend **SB 511** as amended favorable for passage.

A motion was made and seconded to recommend **HB 2832** as favorable for passage.

Although not a part of the motion, members discussed a suggested amendment by conferee Tuck Duncan (March 17 meeting), which would allow the Emergency Medical Services Board to accept as credentialed any out-of-state applicant who was listed on the national registry; members recalled his comment that too-

## CONTINUATION SHEET

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high Kansas standards would deter out-of-state applicants and exacerbate the EMT (Emergency Medical Technician) shortage.

The Chair requested comments from David Lake, Administrator, Emergency Medical Services Board, who stated the purpose of the bill was to assure that out-of-state applicants were equal in training to Kansas EMS personnel, noting that at the top level (paramedic), Kansas requires 1500 hours of training and an Associate degree. He commented that a neighboring state requires only 600 hours and no hands-on experience; such applicants to Kansas would expose patients to less competent care and possible liability to the state. Explaining that the Duncan amendment automatically guarantees certification in Kansas if a person is listed on the national registry, he said the bill unamended gives a temporary, two-year certificate to applicants to give them time to meet Kansas standards. Answering a question, Mr. Lake said the bill addresses the need for competence at the highest level—the paramedic certification, noting that lower levels (1<sup>st</sup> Responder, EMT) are not as crucial for patient care. He said any ambulance service must have at least the EMT level, and many services prefer the better-trained paramedics. He replied that he could not verify the alleged shortage of EMTs.

The question was called, and the motion to pass **HB 2832** favorably without amendments was passed 13-2.

In considering [SB 430](#), a member reviewed [HB 2306](#), which passed the House and was presently in the Senate Judiciary Committee. A motion was then made to strike all the wording of **SB 430** and amend into it the wording of **HB 2306**. The motion was seconded.

A substitute motion was made to refer **SB 430** to the House Judiciary Committee. The motion was seconded, but failed, 7-10.

A motion was made and seconded to table **SB 430**; the motion failed 6-12.

A motion was made to recommend **SB 430** as favorable for passage as amended; the motion was seconded and passed 10-7. Representative Wilson, voting no, stated that he will offer a minority report.\*

The meeting was adjourned at 2:38 p.m. No further meeting was scheduled.

\*Minority Protest: Mr. Chairman, I vote “no” on SB 430 as amended by the House Committee on Health and Human Services. Barring the use of deficiency reports as evidence in trial is a dangerous precedent for the Kansas Legislature to set. If we take away the Court’s ability to review these reports, operators of nursing home facilities can avoid liability and accountability for negligence and poor care. On behalf of my elderly constituents, my constituents with disabilities and the families who entrust their loved ones to the care of these facilities, I strongly oppose this legislation.

Representative Wilson and Representative Sharp