

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 March 24, 2003, in Room 243-N of the Capitol.

All members were present except Representatives Holland and Patterson, both of whom were excused.

Committee staff present:

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

Conferees appearing before the committee:

Tuck Duncan, Legislative Liaison, Kansas Occupational Therapy Association
Tom Bruno, Kansas Athletic Trainers Society
Charles Mossman, Legislative Chair, Kansas Chiropractor Association
Candy Bahner, President, Kansas Physical Therapists Association
Maggie Kelley, Kansas Association of Therapeutic Massage and Bodywork
Chris Collins, Director of Government Affairs, Kansas Medical Society
Chip Wheelen, Executive Director, Kansas Association of Osteopathic Medicine

Others attending: See Attached Guest List

The minutes for March 18 and March 19 were unanimously approved

Chairman Morrison announced that collaboration with some of the principals supporting or opposing **SB 225** had resulted in an agreement.

Tuck Duncan, Legislative Liaison, Kansas Occupational Therapy Association, speaking to the collaborative efforts mentioned by the Chair, outlined the agreement. He said the issue was not licensure of physical therapists, but the manner in which physical therapists were allied with other health-care professions, especially with the occupational therapists, the athletic trainers, and the chiropractors; in light of that relationship, the protected scope of practice was moved to the definition section of the bill, and a few adjustments in the definition section were made. Additionally, chiropractors and optometrists were added to those who can approve and supervise physical therapy treatment plans. He said the language regarding penalties for any non-excluded person engaging in physical therapy was struck from the bill. Mr. Duncan applauded the Board of Healing Arts for their work in helping clarify issues in the bill.

Tom Bruno, Kansas Athletic Trainers Society, stated that, with the removal of the scope of practice, he supported the bill.

Charles Mossman, Legislative Chair, Kansas Chiropractor Association, said that, after initial reservations, he believed the various groups had reached an equitable compromise.

CONTINUATION SHEET

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE at on March 24, 2003, in Room 243-N of the Capitol.

Candy Bahner, President, Kansas Physical Therapists Association, reviewed the agreement, confirming that the Association was giving up the protected scope of practice and moving the description of scope of practice into the definition section of the bill. She noted that, in deference to the occupational therapists, the physical therapists had agreed to drop terms of self-care and home-care from the definition (page 2, line 19 in the original bill).

Maggie Kelley, Kansas Association of Therapeutic Massage and Bodywork, recommended some changes in wording to address concerns of massage therapists. ([Attachment 1](#))

Chris Collins, Director of Governmental Affairs, Kansas Medical Society, noting that the Society had not been centrally involved in discussions about the bill, stated that the Society supports licensure and that physical therapists are a valuable part of the medical team. ([Attachment 2](#))

Chip Wheelen, Executive Director, Kansas Association of Osteopathic Medicine, said osteopaths are not opposed to the bill, but suggested some amendments to clear up some technical language and one amendment to limit the practice of physical therapists, eliminating the phrase “. . .to determine a diagnosis solely for physical therapy. . .,” (page 2, lines 13-14) which he said was in conflict with the statutes which require a referral from a physician. ([Attachment 3](#))

Staff Bill Wolff further summarized the agreement, saying that a balloon amendment would be available for members before they worked the bill on Tuesday, March 25.

The chairman said he would take under advisement any further suggestions from Mr. Wheelen and the Board of Healing Arts.

The meeting was adjourned at 2:22 p.m. The next meeting is scheduled for Tuesday, March 25, 2003.