

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairperson Daniel Hawkins at 1:30pm on Tuesday, February 24, 2015, 546-S of the Capitol.

All members were present

Committee staff present:

Scott Abbott, Office of Revisor of Statutes
Jennifer Ouellette, Legislative Research Department
Patrick Orr, Kansas Legislative Committee Assistant
Erica Haas, Legislative Research Department
Norm Furse, Office of Revisor of Statutes

Conferees appearing before the Committee:

Steve Coen, Kansas Health Foundation
Dr John Bardo, president of Wichita State University
Leon Assael, Dean of University of Minnesota School of Dentistry
Rodger Woods, Americans for Prosperity
Dr. Daniel Minnis, Pittsburg KS dentist
Dave Sanford, Grace Med Wichita, KS
Randy Forbes, general counsel Kansas Dental Board
Kevin Robertson, executive director Kansas Dental Board
Dr Lucynda Raben general dentist in Wichita, KS
Dr Nicole Rogers dentist in Arkansas City
Dr Brett Roufs
Dr. Connie White Associate Dean School of Dentistry, University of Missouri at Kansas City

Others in attendance:

[See Attached List](#)

Hearing on: HB2079 — Kansas dental board; licensure of registered dental practitioners.

Chairman Hawkins opened the hearing on **HB2079**. Norm Furse, staff revisor, gave highlights of the bill.

Steve Coen representing the Kansas Health Foundation testified that oral health care is a primary concern. Data shows that 95 out of 105 Kansas counties do not have enough dental providers to meet their needs, especially rural communities. This trend is expected to worsen. One clear solution to this problem is the development of a mid-level practitioner, or what is referred to as a Registered Dental Practitioner (RDP). The RDP will give access to regular dental services that can help people control chronic diseases, which is a key tenant to the Foundation's focus on health prevention. ([Attachment 1](#))

Dr. John Bardo, president of Wichita State University (WSU), stated WSU has a long standing commitment to educate future health care providers for the citizens of Kansas. At least 57,000 Kansans live in dental deserts where they must drive at least thirty minutes from a dental provider. The

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university has a long standing commitment to educate future health care providers for the citizens of Kansas. We house the only baccalaureate level dental hygiene and advanced education in general dentistry programs in the state. ([Attachment 2](#))

Leon A Assael the Dean of University of Minnesota School of Dentistry expressed his strong support for this bill then described how the university trains its dental students. ([Attachment 3](#))

Rodger Woods of Americans for Prosperity expressed support for this bill because it provides new opportunities for individuals to maximize their own potential, while improving the availability and quality of dental care in Kansas. ([Attachment 4](#))

Dr. Daniel Minnis is a dentist from Pittsburg, Kansas who has dedicated thirty percent of his practice to care for Medicaid recipients. He also provides dental services to thousands of children and other vulnerable populations in Kansas who are affected by dentists unwilling to work on real and long term solutions to access to dental care. He asked that the committee support this legislation and do what is right for dental patients. ([Attachment 5](#))

Dave Sanford is the president and chief executive officer of Grace Med in Wichita, Kansas, which is a health ministry of the United Methodist Church Great Plains Conference. He testified that there is far more demand than supply of dentists. Ninety-four Kansas counties do not have enough dentists to serve their population, few Kansas dentists accept Medicaid, and the average age of dentists in Kansas is 50. The registered dental practitioner will help reduce the shortage. ([Attachment 6](#))

Proponents stood for questions from the committee.

Proponents submitting written testimony were:

Dr. Mirta Martin president of Fort Hayes State University ([Attachment 7](#))

Kim Moore president of the United Methodist Health Ministries Fund ([Attachment 8](#))

Brenda Sharpe, president & CEO of REACH Healthcare Foundation ([Attachment 9](#))

Kansas Dental Project ([Attachment 10](#))

Prairie Band Potawatomi Nation, Mayetta ([Attachment 11](#))

Dr. Melinda Miner, DDS, Hays, Kansas ([Attachment 12](#))

Ron Gaches, Kansas Dental Hygienist' Association ([Attachment 13](#))

Denise Cyzman, Executive Director, Kansas Association of Medically Underserved ([Attachment 14](#))

Jason Wesco, President & CEO Health Partnership Clinic in Johnson County([Attachment 15](#))

Richard Jackson, CEO East Central Kansas Economic 1

Opportunity Corporation([Attachment 16](#))

Sister Janice Thome, Dominican Sisters Ministry of Presence, Garden City ([Attachment 17](#))

Tanya Dorf Brunner Executive Director, Oral Health Kansas ([Attachment 18](#))

Gary Brunk, Executive Director of the Kansas

Association/Kansas Center for Assisted Living ([Attachment 19](#))

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Cindy Luxem, CEO, President, Kansas Health Care Association Kansas Center for Assisted Living ([Attachment 20](#))

Mitzi McFatrach, Executive Director, Kansas Advocates for Better Care ([Attachment 21](#))

Sean Gatewood, Interim Executive Director, Kansas Health Consumer Collation ([Attachment 22](#))

Susan Hemberger, RDH ECPIII Hemberger Dentistry, Overland Park ([Attachment 23](#))

Janette Delinger, RDH, MSDH Lansing ([Attachment 24](#))

Jennifer McCord, RDH, MSDH Lenexa ([Attachment 25](#))

Hillary Arnold, RDH, Eudora ([Attachment 26](#))

Jill Gottschamer, RDH, BHS, Topeka ([Attachment 27](#))

Holly R. Blick, RDH, BSDH, ECPIII, Douglas County Health Clinic ([Attachment 28](#))

Judith Bellome, RN AARP of Kansas ([Attachment 29](#))

Melissa Wangemann, General Counsel, Kansas Association of Counties ([Attachment 30](#))

Rachel Monger, Director of Government Affairs for Leading Age Kansas ([Attachment 31](#))

Rick Cagan, Executive Director national Alliance on Mental Illness of Kansas ([Attachment 32](#))

There were no further proponents to testify. Chairman Hawkins closed the hearing to proponents and opened it to opponents of the bill.

Randy Forbes who is the general counsel for Kansas Dental Board testified in opposition of the bill.

The Dental Board opposes this bill because there are potential complications to many of the procedures a Registered Dental Practitioner would be authorized to perform under general supervision by a dentist, who needs not to be present, which they would not be qualified by training and experience to deal with. Like many of the other authorized procedures, an additional eighteen months of training will not simply be sufficient to prepare a RDP to safely perform a procedure without a dentist present. It should be expected that when a RDP bills a patient's insurance company for a specific procedure and the dentist must redo the work, the dentist cannot bill a second time for the same procedure. This will leave the patient to pay for the second treatment. In summary, it is worth pointing out that the hard structure of the tooth, unlike most other parts of the body, once damaged or removed, will not regenerate. Currently a dental hygienist is not permitted to remove the hard structure of the tooth. This bill would allow a RDP to remove tooth structure without the necessary training and experience to adequately protect the public. ([Attachment 33](#))

Kevin Robertson, Executive Director of the Kansas Dental Association, testified the KDA believes that all Kansans deserve access to a dentist to provide safe, quality dental care to meet their diagnostic, restorative, and surgical dental needs. As such, the KDA is strongly opposed to this bill. ([Attachment 34](#))

Dr. Lucynda Raben testified that as a practicing general dentist in Wichita, Kansas, she stands in opposition to this bill. The citizens of Kansas should be treated by fully educated and licensed doctors in the field of dentistry. The right thing to do is to continue to incentivize young dentists to establish practices in rural areas so that everyone in Kansas has access to the same quality of care. ([Attachment](#)

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Dr Nicole Rogers is a practicing dentist from Arkansas City, Kansas. She testified in opposition to this bill because she does not agree with the midlevel provider or the registered dental practitioners. She does not believe in splitting or separating the current model of a dentist lead team and creating a two-tiered system. She does believe that the oral health needs of children and patients are best met through ongoing comprehensive dental care by the dental team approach and the dentist directed model.

[\(Attachment 36\)](#)

Dr Brett Roufs opposes this bill and stated that while the dentist makes procedures look quick and easy it is still an irreversible surgery that may be very difficult without proper training and experience.

[\(Attachment 37\)](#)

Opponent submitting written testimony only were:

Chris Wallace, Kansans for Quality Dentistry [\(Attachment 38\)](#)

Dr. Cindi Sherwood, DDS, Independence Kansas [\(Attachment 39\)](#)

Dr. John Fales, DDS, Olathe [\(Attachment 40\)](#)

Dr. Mike Perpich, DDS, Richfield, Minnesota [\(Attachment 41\)](#)

Academy of General Dentistry [\(Attachment 42\)](#)

Opponents stood for questions from the committee. There were no other opponents to testify; therefore, Chairman Hawkins closed the hearing to opponents and opened it to neutral parties.

Dr. Connie White, University of Missouri Kansas City Associate Dean School of Dentistry, testified that the School of Dentistry continues to train effective dentists and hygienists. Their dental school continues to seek innovative strategies in caring for the needs of our patients in at-risk communities. Always, regardless of strategy, the health and safety of our patients must be our first priority.

[\(Attachment 43\)](#)

Neutral parties submitting written testimony were:

Dr. Becky Smith, DDS, UMKC School of Dentistry [\(Attachment 44\)](#)

Chairman Hawkins closed the hearing on HB2079.

Possible action on bills previously heard

Chairman Hawkins assigned Representatives Osterman, who will serve as chair, Estes, Thompson, Kelly, and Wilson to a subcommittee to study **HB2315 - Secretary for aging and disability services licensure of certain facilities and standards for treatment of certain individuals.**

Chairman Hawkins called for final action on HB2016-An Act amending the school sports head injury.

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prevention act; amending KSA 2014 Supp. 72-135 and repealing the existing section..

Norm Furse, staff revisor, provided a summary of this bill. Representative Carpenter made a motion to pass out **HB 2016** favorably. Representative Ward seconded. Discussion ensued.

Representative Osterman proposed an amendment to have the physician assistant, when authorized by a supervising physician, give approval to return to sports activities. Seconded by Representative Dick Jones. Discussion ensued. Representative Osterman moved his amendment as favorable for passage.. Motion failed.

Representative Carpenter moved to pass **HB2016** out favorable for passage. Representative Ward seconded the motion. Division of committee. Motion passed favorably.