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Before the Senate Federal and State Affairs Committee

Thursday, March 12, 2015

Testimony in support of  
Senate Bill 224

Chairman Ostmeyer, Vice Chairman LaTurner, Ranking Member Faust-Goudeau and members of the committee, I appreciate the opportunity to submit written testimony on this important legislation since I am unable to attend in person today.

As some of you may remember, I served on the Kansas Emergency Medical Services Board for over nine years. During all of those years, I served on the Investigations Committee, ending my time on the Board as the chairman of that committee. The biggest problems the Investigations Committee faced were its ability to properly perform its function of determining whether substandard care had been provided and what the appropriate remedy might be.

On several occasions the Committee was unable to obtain patient care information from other providers, e.g. hospitals, due to privacy provision in the Health Insurance Portability and Accountability Act, also known as HIPPA. In addition, the Committee had no authority to subpoena records from either first responder providers not licensed by the Board or hospitals. On more than one occasion, even though the Committee believed there had been inappropriate care given, an investigation was dismissed without action being taken because we could not “prove” the case. SB 224 would rectify that deficiency.

Equally important to the subpoena power would be the ability to craft a sanction without ruining an attendant’s ability to earn a living and provide for his or her family. As the law currently stands, the only sanction action the Board can take is on an attendant’s license. Minor issues could easily be penalized with a monetary fine, but the Board does not have that authority. The Board must either take no action or suspend or revoke the attendant’s license. SB 224 would rectify that deficiency, too.

My testimony has concentrated on the individual attendant, but it applies equally to the ambulance service. The penalty limit is higher, but the points outlined above are essentially the same.

SB 224 has the necessary safeguards to protect the attendant’s, services and patients. Its passage would help Kansas provide better patient care and would protect attendants and services from unnecessarily losing their licenses.

I respectfully request this committee support passage of SB224 and thank you for allowing me to testify.