

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairperson Mary Pilcher-Cook at 1:30 pm on Wednesday, February 18, 2015, 118-N of the Capitol.

All members were present

Committee staff present:

Iraida Orr, Legislative Research Department
Randi Walters, Kansas Legislative Committee Assistant
Whitney Howard, Legislative Research Department
Rena Jefferies, Office of Revisor of Statutes
Nobuko Folmsbee, Office of Revisor of Statutes

Conferees appearing before the Committee:

Jerry Slaughter, Executive Director, Kansas Medical Society (KMS)
Bob Williams, Executive Director, Kansas Association of Osteopathic Medicine (KAOM)
Merilyn Douglass, DNP, APRN, FNP-C, DCC, Kansas APRN Task Force
Pamela Fruechting, Nurse Practitioner
Rae Lyn Mefford, DNP, APRN, FNP-BC, Advanced Mobile Healthcare
Karen K. Trees, APRN, Phoenix Health
Michael Moore, APRN-C
Catherine Gordon, CNM-BC FNP-BC, Clinical Director, New Birth Company

Others in attendance:

[See Attached List](#)

Possible action on bills previously heard

Chairperson Pilcher-Cook opened final action on **SB182--Department of health and environment; inspector general's job classification.** Nobuko Folmsbee, staff revisor, reviewed the bill.

Senator Kelly distributed and explained a proposed balloon amendment. ([Attachment 1](#))

Senator Kelly moved, Senator Denning seconded, to adopt the balloon amendment. After some discussion, the motion carried.

There was a brief discussion regarding the bill. Following discussion, *Senator Kelly moved, Senator LaTurner seconded, to amend **SB182** by striking the current contents of **SB182** and replacing it with the proposed **Substitute for SB182**. Motion carried.*

*Senator Kelly moved, Senator Bowers seconded, to recommend **Substitute for SB182** favorably for passage. Motion carried.*

Chairperson Pilcher-Cook opened final action on **SB123--Medications used to treat mental illness under the state medicaid program.**

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

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Senator LaTurner moved, Senator O'Donnell seconded, to recommend **SB123** favorably for passage.

Senator Denning addressed his concern regarding the pre-authorization process. He stated that he will continue to cautiously support the bill. He indicated that he had a discussion with KDHE, and that he's been assured that the MCOs will not be able to make any changes to the current process until KDHE issues a rule and regulation. Some of the issues being addressed include changing a three-day automatic fill to a five-day fill, and making sure the pharmacist gets reimbursed for the short-term fill.

Senator LaTurner requested that Senator Denning's remarks be included in the minutes. Discussion ensued regarding the bill. Chairperson Pilcher-Cook called for a voice vote. The Chair being in doubt, called for a vote by show of hands, the motion carried. Senators Haley, Kelly, and Bowers voted "no" and requested their votes recorded.

Hearing on: SB218 — Advance practice registered nurse.

Chairperson Pilcher-Cook opened the hearing on **SB218**. Nobuko Folmsbee, staff revisor, briefed the bill. After questions were addressed, the hearing continued.

Jerry Slaughter, KMS, testified in support of **SB218**. Mr. Slaughter's testimony indicated that this bill would change the way scope of practice issues are addressed for advanced practice registered nurses (APRNs). He stated that they are proposing a public transparent process under the two licensing agencies that govern physicians and nurses, and task them with the responsibility of finding a way to move forward on this issue. It would direct the Boards of Nursing and Healing Arts to work together to adopt joint regulations governing APRN scope of practice. Mr. Slaughter stated that there is no question that the training, the roles, and the functions of APRNs are evolving, as are all health care professions. ([Attachment 2](#))

Bob Williams, KOAM, testified in support of **SB218**. He stated that they believe collaborative agreements are a good thing. Mr. Williams indicated that they believe that it's important that the individuals who are charged with the practice of medicine and surgery in the state of Kansas have some kind of oversight as nurses move forward into advanced practice. ([Attachment 3](#))

Merilyn Douglass, Kansas APRN Task Force, testified in opposition of **SB218**. Ms. Douglass indicated that **SB218** is not a compromise, it is an unnecessary and invalidated action that sounds attractive, but in reality is lacks equality. It has the potential for indecision and stalemate, and there's no evidence to demonstrate that there's a need to change this governance. ([Attachment 4](#))

Pamela Fruechting, testified in opposition of **SB218**. Ms. Fruechting stated, with the Board of Nursing functioning so well growing this state in nurse practitioner health care and increasing access safely, she is fearful that bringing in another body for licensing and regulation for rules and regulations is going to compound the process and ultimately restrict nurse practitioner practice with the effect of restricted

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health care access as it has in five other states that have joint boards. ([Attachment 5](#))

Rae Lyn Mefford, Advanced Mobil Healthcare, testified in opposition of **SB218**. Ms. Mefford stated that **SB218** could limit APRNs' ability to care for patients and could easily force each of them to have to close their businesses, lay off numerous employees, and leave thousands of patients without access to care. ([Attachment 6](#))

Karen Trees, Phoenix Health, testified in opposition of **SB218**. Ms. Trees stated that **SB218** serves as nothing more than an overreach in governance to the practice of nurse practitioners and the Kansas Board of Nursing. It's without merit or evidence, and it doesn't actually do anything to improve health care for the Kansas citizens. Its language leaves a significant uncertainty for nurse practitioners, patients and her practice in particular. ([Attachment 7](#))

Michael Moore, testified in opposition of **SB218**. Mr. Moore referred the committee to his written testimony, stating that he will give his time to questions. ([Attachment 8](#))

Catherine Gordon, New Birth Company, testified in opposition of **SB218**. Ms. Gordon referred the committee to her written testimony as well as from the American College of Nurse-Midwives, stating that if anyone has any questions regarding the advanced practice nurses classified as nurse midwives, she's here. ([Attachment 9](#))

Written testimony in support of **SB218** was submitted by:

Doug Gruenbacher, MD, President, Kansas Academy of Family Physicians ([Attachment 10](#))

Written testimony in opposition of **SB218** was submitted by:

Judy Bellome, AARP ([Attachment 11](#))

Michelle Knowles, APRN, FNP-BC ([Attachment 12](#))

Jesse Bushman, Director, Advocacy and Government Affairs, American College of Nurse-Midwives ([Attachment 13](#))

Judith Beck, APRN-BC ([Attachment 14](#))

Written neutral testimony for **SB218** was submitted by:

Diane Glynn, JD, RN, Practice Specialist, Kansas State Board of Nursing ([Attachment 15](#))

Lisa Weber, MD, Kansas Nephrology Physicians ([Attachment 16](#))

After a brief discussion, Chairperson Pilcher-Cook closed the hearing on **SB218**.

The meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for February 19, 2015.