

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairperson Mary Pilcher-Cook at 1:33pm on Wednesday, February 03, 2016, 118-N of the Capitol.

All members were present

Committee staff present:

Randi Walters, Kansas Legislative Committee Assistant
Scott Abbott, Office of Revisor of Statutes
Iraida Orr, Legislative Research Department
Whitney Howard, Legislative Research Department
Kyle Hamilton, Office of the Revisor of Statutes

Conferees appearing before the Committee:

Sandra Wilkes, President, Kansas Association of Oriental Medicine (KsAOM)
Diane L. Bellquist, Legal Counsel, KsAOM
Doug Petrie, Acupuncturist
Elizabeth Hatchett, Acupuncture Patient
Dominador T. Perido, MD, Diplomate American Board of Surgery
Bob Williams, Executive Director, Kansas Association of Osteopathic Medicine (KAOM)
Susan Harms, President, Kansas Physical Therapy Association (KPTA)
Travis Oller, DC, Kansas Chiropractic Association (KCA), Legislative Committee Chair
Rachelle Colombo, Director of Government Affairs, Kansas Medical Society (KMS)

Others in attendance:

[See Attached List](#)

Possible bill introductions

Chairperson Pilcher-Cook introduced a bill regarding Charity Care for charitable healthcare providers who provide gratuitous care would receive continuing education credits. Without objection, the bill was introduced.

Hearing on: SB363 — Relating to licensure of acupuncturists.

Senator Pilcher-Cook opened the hearing on **SB363**. Scott Abbott, staff revisor, presented a briefing on the bill. After questions by the Committee were addressed, the hearing continued.

Sandra Wilkes, KsAOM, testified in support of **SB363** as without licensing, acupuncturists are working in a legal gray area. Ms. Wilkes indicated that in putting this Act together, their intent was to give acupuncturists a foundation on which to practice lawfully, and also to not stop those who are already lawfully practicing acupuncture. ([Attachment 1](#))

CONTINUATION SHEET

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Diane Bellquist, KsAOM, testified in support of **SB363** stating that she has worked closely with the Board of Directors in drafting the language in the bill. Ms. Bellquist indicated that before it was introduced they tried to meet with several stakeholders to receive input into the drafting of the bill, and they are continuing to work with key stakeholders on proposed amendments. Ms. Bellquist stated that it isn't their intention to impede any practice that currently exists; it is only to put in place licensing construct for the acupuncturists. ([Attachment 2](#))

Doug Petrie, acupuncturist, testified in support of **SB363**. Mr. Petrie stated that he attended Southwest Acupuncture College (SWAC) in Colorado. Mr. Petrie indicated that there were several residents of Kansas attending SWAC, and due to the lack of licensing in Kansas these trained acupuncturists went to other states to live instead of coming back to Kansas. Mr. Petrie stated that we want the brightest and best coming back to Kansas raising families and growing the communities. ([Attachment 3](#))

Elizabeth Hatchett testified in support of **SB363**. Ms. Hatchett stated she is a patient of acupuncture. She indicated that she was shocked when she heard 45 states have licensing for acupuncturists, but Kansas doesn't. Ms. Hatchett's testimony stated that **SB363** will protect trained professional acupuncturists so that they can serve Kansans like herself through the practice of acupuncture. ([Attachment 4](#))

Dr. Dominador Perido testified in support of **SB363**. Dr. Perido shared his experience of how acupuncture therapy helped him after he had a stroke. ([Attachment 5](#))

Bob Williams, KAOM, testified in support of **SB363** indicating that acupuncture has become more mainstream. He stated that a lot of their physicians are getting inquiries from patients wanting to know about acupuncture services. Mr. Williams' testimony stated that a licensing process would go far in providing physicians a minimal basis for determining qualified acupuncturists. ([Attachment 6](#))

Susan Harms, KPTA, testified in opposition to **SB363** stating that KPTA is not opposed to the licensing of acupuncturists. Ms. Harms indicated that KPTA is opposed to two items: the language defining what acupuncture includes; and that physical therapists are not exempted from this bill. Ms. Harms addressed their concerns regarding how the bill affects their scope of practice. ([Attachment 7](#))

Dr. Travis Oller, KCA, testified in opposition to **SB363**. Dr. Oller stated that as initially submitted, they cannot support the bill; however, they have been working with the KsOAM with the balloon amendments. Dr. Oller indicated that if those balloon amendments are added to the bill, they would support its passage. Dr. Oller stated that they fully believe acupuncturists in Kansas should be licensed. ([Attachment 8](#))

Rachelle Colombo, KMS, presented neutral testimony on **SB363** indicating that they have no issue with the practice of acupuncture, and believe that it would be fine to have it licensed so long as there is consistency and clear regulatory structure moving forward for the Board of Healing Arts. Ms. Colombo

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indicated that they have worked closely with the bill proponents on suggested changes to address their concerns and with the adoption of their suggested changes, KMS would not be opposed to the passage of **SB363**. ([Attachment 9](#))

Written testimony in support of **SB363** was submitted by:

Jane L. Murray, MD, Sastun Center of Integrative Health Care ([Attachment 10](#))

Cynthia Chamberlain, DiplAc, DiplCH, Eastern Healing Solutions, Inc. ([Attachment 11](#))

Kirit T. Desai, MD, Monique Eye Center, Inc. ([Attachment 12](#))

Written testimony in opposition of **SB363** was submitted by:

Ronald R. Hein, KPTA ([Attachment 13](#))

Edo Zylstra, Doctor of Physical Therapy, Owner and CEO, KinetaCore Physical Therapy ([Attachment 14](#))

Linda Beezley, ARNP-C ([Attachment 15](#))

Mitchell Gold, PhD, Right Management ([Attachment 16](#))

Written neutral testimony for **SB363** was submitted by:

Kathleen Selzler Lippert, JD Executive Director, Kansas State Board of Healing Arts ([Attachment 17](#))

Secretary Susan Mosier, MD, MBA, FACS, Kansas Department of Health and Environment ([Attachment 18](#))

After all questions by the Committee were addressed, Chairperson Pilcher-Cook closed the hearing on **SB363**.

The meeting was adjourned at 2:23 p.m.

The next meeting is scheduled for February 4, 2016.