

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairperson Michael O'Donnell at 1:31pm on Wednesday, March 09, 2016, 118-N of the Capitol.

All members were present except:

Senator Susan Wagle – Excused

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 Revisor of Statutes

Conferees appearing before the Committee:

Representative Jim Kelly

Kathleen Selzler Lippert, JD Executive Director, Kansas State Board of Healing Arts (KSBHA)

Bob Williams, Executive Director, Kansas Association of Osteopathic Medicine (KAOM)

Rachelle Colombo, Director of Government Affairs, Kansas Medical Society (KMS)

Kyle Kessler, Executive Director, Association of Community Mental Health Centers (CMHCs) of Kansas, Inc.

Kevin J. Robertson, CAE, Executive Director, Kansas Dental Association (KDA)

Ronald R. Hein, Legislative Counsel, Kansas Physical Therapy Association (KPTA)

Susan Harms, PT, MHS, President, Kansas Physical Therapy Association (KPTA)

Drew Dischinger, Owner, Sport + Spine Physical Therapy

Linda Beezley, Private Citizen

Monica L. Helfer, Private Citizen

Travis Oller, DC, Legislative Committee Chair, Kansas Chiropractic Association

Diane L. Bellquist, Legal Counsel, Kansas Association of Oriental Medicine (KsAOM)

Others in attendance:

[See Attached List](#)

Hearing on: HB2456 — Interstate medical licensure compact.

Chairperson O'Donnell opened the hearing on **HB2456**. Kyle Hamilton, staff revisor, presented a briefing on the bill.

Representative Jim Kelly testified in support of **HB2456** indicating that he believes telemedicine is going to be big in the future for rural and under-served Kansans, and the ability of doctors to cross state lines will be important. Representative Kelly stated that living in an area that is experiencing the problems and knowing what it's going to be in the future, he believes this bill gives some important

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tools to those that live in rural and underserved areas in Kansas to have better access to medical care. ([Attachment 1](#))

After questions from the Committee were answered, the hearing continued.

Kathleen Selzler Lippert, KSBHA, testified in support of **HB2456** indicating that this is an alternative method to licensure, so Kansas current licensure methods would remain in existence. ([Attachment 2](#))

Bob Williams, KAOM, testified in support of **HB2456**. ([Attachment 3](#))

Rachelle Colombo, KMS, testified in support of **HB2456** stating that this is an alternative pathway and doesn't in any way supersede the state's rights. Ms. Colombo indicated that this would allow physicians to practice across state lines without getting a license for each individual state. ([Attachment 4](#))

After questions by the committee were addressed, Chairperson O'Donnell closed the hearing on **HB2456**.

Hearing on: HB2615 — Charitable healthcare providers; continuing education credits for gratuitous care of eligible patients.

Chairperson O'Donnell opened the hearing on **HB2615**. Scott Abbott, staff revisor, presented a briefing on the bill.

Kyle Kessler, Association of CMHCs of Kansas, Inc., testified in support of **HB2615** indicating that this is the kind of innovative approach that can be used to incentivize additional care and coverage for low-income individuals and simultaneously benefit providers. ([Attachment 5](#))

After questions by the Committee were answered, the hearing continued.

Kevin Robertson, KDA, testified in support of **HB2615** stating that this bill is very similar to **SB402-- Charitable healthcare providers; continuing education credits for gratuitous care of eligible patients** which this committee took action on prior to Turnaround. Mr. Robertson's written testimony indicates that the KDA believes that incentives for healthcare providers to provide care to underserved populations can promote increased care. ([Attachment 6](#))

Written testimony in support of **HB2615** was submitted by:

Andrew C. Brown, Senior Fellow, Foundation for Government Accountability Action (FGA) ([Attachment 7](#))

Written neutral testimony for **HB2615** was submitted by:

Rachelle Colombo, Director of Government Affairs, Kansas Medical Society (KMS) ([Attachment 8](#))

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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After questions were addressed, Chairperson O'Donnell closed the hearing on **HB2615**.

Hearing on: SB490 — Adding dry needling to the physical therapy scope of practice.

Chairperson O'Donnell opened the hearing on **SB490**. Scott Abbott, staff revisor, presented a briefing on the bill.

Ron Hein, KPTA, testified in support of **SB490**. Mr. Hein provided information on the discussions the stakeholders have had regarding amendments to the acupuncturist bill to provide an exemption for the physical therapists and addressing the issue of dry needling in the physical therapists' scope of practice. ([Attachment 9](#))

Susan Harms, KPTA, testified in support of **SB490** providing information clarifying physical therapists' scope of practice. Ms. Harms presented results from a study released by the Federation of State Boards of Physical Therapy (FSBPT). ([Attachment 10](#))

Drew Dischinger, Sport + Spine Physical Therapy, testified in support of **SB490** stating that dry needling has been a part of his practice since 2013. Mr. Dischinger indicated that they have been hosting certified classes at their clinic and have been teaching dry needling at Rockhurst University. Mr. Dischinger discussed the requirements for an entry level Doctorate of Physical Therapy and for the additional Dry Needling certification. ([Attachment 11](#))

Linda Beezley testified in support of **SB490** by sharing her personal experience of being a patient of dry needling. ([Attachment 12](#))

Monica Helfer testified in support of **SB490** by sharing her personal experience of being a patient of dry needling. ([Attachment 13](#))

Dr. Travis Oller, Kansas Chiropractic Association, testified in opposition of **SB490** by stating that there are a few issues and some language that needs to be fixed before they can say they don't oppose the bill. Dr. Oller provided information regarding those concerns. ([Attachment 14](#))

Rachelle Colombo, KMS, presented neutral testimony on **SB490** indicating that it's been appropriate to have this scope of practice dealt with separately from the acupuncturists so that it's very clear how it pertains to physical therapists and the practice of acupuncture and so that it can be enforced appropriately. ([Attachment 15](#))

Diane Bellquist, KsAOM, provided neutral testimony on **SB490** stating that the stakeholders have had a very productive meeting and are now diligently working to have some proposed language with some proposed amendments soon. ([Attachment 16](#))

Written testimony in support of **SB490** was submitted by:

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Mark W. Stafford, Attorney, Kansas Physical Therapy Association ([Attachment 17](#))

Written neutral testimony on **SB490** was submitted by:

Kathleen Selzler Lippert, JD Executive Director, Kansas State Board of Healing Arts ([Attachment 18](#))

After questions by the Committee were answered, Chairperson O'Donnell closed the hearing on **SB490**.

Final action on: SB437 — Simon's Law; withholding life sustaining treatment for persons under 18 years of age; parent or legal guardian consent.

Chairman O'Donnell opened final action on **SB437**. Senator LaTurner asked to have a balloon amendment distributed. Scott Abbott, staff revisor, explained the amendment. ([Attachment 19](#))

Senator LaTurner moved, Senator O'Donnell seconded, to adopt the balloon amendment. Motion carried.

Senator LaTurner asked to have a second balloon amendment distributed. Mr. Abbott explained the amendment. ([Attachment 20](#))

Senator LaTurner moved, Senator Love seconded, to adopt the balloon amendment. Motion carried.

*Following discussion, Senator LaTurner moved, Senator Love seconded, to recommend **SB437** as amended with staff having technical latitude to fix the bill structure, favorably for passage. Motion carried.* Senator Kelly voted no and requested her vote recorded.

The meeting was adjourned at 2:34 p.m.

The next meeting is scheduled for March 10, 2016.