

STATE AFFAIRS COMMITTEE

February 6, 1968

The meeting was called to order by the Chairman, and Mr. Don Deam introduced to discuss proposed amendments to H.B. 1758. He explained that he represented Kansas Chiropractors; that the proposed amendment (see attached) would include all people licensed under the Healing Arts Act. Mr. Rogers inquired if this was in the interest of coming under funds from federal or state programs and Mr. Deam stated that where agencies utilize tax dollars it would give the citizens benefits under these programs, and give them the right of choice of who should treat them and be reimbursed. Mr. Rogers inquired what the law now says and Mr. Deam replied that under Title 19, the medical assistance program enacted in 1967, all practitioners licensed under the Healing Arts Act, furnishing services within the scope of their license, are included. Mr. Rogers inquired then what they are doing here? Mr. Deam replied that there are some programs administered by the State Board of Health, where his clients would like to be included. Mr. McGill inquired what specific things this would include and Mr. Deam replied that under the Title 5 program administered by the State Board of Health, it would include such things as pre-school examinations for children. He explained that Chiropractors are not now included under the Welfare program. Mr. Boyer inquired why since this bill was introduced for a specific reason, they wanted to generalize it, and Mr. Deam stated he didn't believe it would be bad to generalize it. Mr. Ford inquired if Chiropractors were admitted to practice their arts in a licensed hospital, and Mr. Deam expressed the opinion that no law prohibits it but that hospitals have not so opened their doors, and that possibly Chiropractors were not yet ready, except probably for the use of the lab facilities. Dr. Rex Wright, President of the Association, was introduced and substantiated what Mr. Deam had said.

Mr. Jim Clark stated that he would not speak to the amendment since he had not yet spoken to the bill. He stated that Optometrists appeared a year ago and introduced two bills; that in the meanwhile they have worked out their problems with the Medical Society; that his Committee has agreed on this bill and it had taken an entire year to reach this agreement; that any action to change it would probably take a very long time to consider and since it would change the scope of the bill he would have to bring the matter before the Board; that the Board supports it in its present form. He introduced Dr. French, his President, who concurred in Mr. Clark's statements.

The Chairman explained this bill is one that resulted from misinformation that he had given the Committee; that it was his impression that all of the people involved wanted SB 82 and 83 killed, and when he was told that this was not entirely the case, the Committee agreed to introduce this present bill. He then reiterated that Optometrists and the Medical Society had told him that they supported this bill but if it is changed, nobody knows where they are.

Mr. Wellington Jones with Blue Shield as Director of Marketing, appeared in opposition to the proposed amendment, stating that it would have an immediate effect on the over 660,000 subscribers who have Blue Cross-Blue Shield; that it would immediately expand coverage to x-ray services for Chiropractors and that the rate did not take this into consideration; that people did not think they were buying this when they made their contract.

Mr. Oliver Ebel, Executive Secretary of the Kansas Medical Society, stated that he hoped the Committee would consider very seriously before adopting this proposed amendment; that the matter is filled with emotion and people have a lot of feeling about this. He pointed out that this amendment would not fulfill the purpose of the original bill; that the Kansas Medical Society has been meeting with the Optometrists and they have a good degree of cooperation with each other; that this has not always been true; that to adopt this amendment would be a detriment to the new relationship; that Optometrists and Ophthalmologists have a cooperative arrangement now, and in some cases are even sharing offices; that Optometry is not a "cult" practice but a scientific profession dealing with eye examination, whereas the M.D. deals in other phases of eye treatment other than refraction. He stated that Chiropractors were a "cult" organization and that he wanted to state the facts; that they are a group under the Healing Arts Act that takes a tenant and adheres in spite of evidence to the contrary and that they consistently do this; that a doctor of medicine would not be so unethical as to consult with a Chiropractor. He stated that the Committee had not been told everything; that this amendment would make it impossible for a hospital to exclude a chiropractor from practicing there and admitting patients and it would jeopardize the entire hospital system because MD's could not work with them and yet would have to be responsible for his patients. He stated that they had never tried to influence the legislature to introduce discriminatory bills and that they never would; that they were anxious to preserve equal liberty for the highly specialized physician and hospital services that are equally important for the protection of the patient.

The Chairman then stated that consideration would be given to acting on several measures that were in Committee. He called for action on HB 1636. Mr. Doyen moved that the bill as amended be recommended favorably. Motion was seconded by Mr. Kessinger and carried with Rep. Turner voting against.

Mr. Andrews moved that HB 1233 be recommended favorably. Motion was seconded by Mr. McCray and lost 2 to 11. Thereupon, Mr. Rogers moved that it be reported adversely, seconded by Mr. Doyen, and carried 10 to 1.

Mr. Jelinek moved that HB 1775 be recommended favorably. Motion was seconded by Mr. Buchele and carried 9 to 1.

Mr. Jelinek moved for a secret ballot on HB 1825, and upon tally, the bill was recommended favorably by a vote of 12 to 2.

Mr. Bunten moved for a secret ballot on HB 1726, and upon tally, the bill was recommended favorably by a vote of 10 to 6. Mr. Rogers asked to be recorded as in favor of the bill.

Mr. Fribley moved that HB 1723 be reported adversely. Upon second by Mr. Turner, the motion carried unanimously.

Mr. Doyen moved that HB 1702 be reported adversely. Mr. Rogers seconded the motion which carried 9 to 5.

Mr. Turner asked to make a statement concerning HCR 1056. He explained that in 1965 he supported the resolution asking that the state determine for themselves whether one House of the Legislature should be apportioned on some basis other than population. He stated that his position had not changed; that he believed the people should be able to choose their own government, within certain bounds. He stated however, that the situation is nearing the place where there is talk of a Constitutional Convention to revise the U. S. Constitution; that he cannot vote in favor of such an act because he believes that to do so at this time might be disaster for the Country.

Thereupon, Mr. Buchele moved to report HCR 1056 favorable for passage. Motion was seconded by Mr. Turner and lost 6 to 7. Mr. Doyen then moved that the resolution be recommended adversely. Motion was seconded by Mr. Fribley and carried 6 to 5.

Mr. Doyen moved the unfavorable recommendation of HCR 1062. Upon second by Mr. Jelinek the motion carried 11 to 3.

Mr. Ben Foster was then introduced to discuss HB 1781. He explained that this proposal was drafted exactly as the bill in Hawaii; that he is entirely serious about the matter to set up an office to investigate the complaints of the people--of the private citizen.

Mr. Harper of Sedgwick then appeared on HB 1722, explaining that it is similar in nature to the bill he had last session but that he has added some improvements; that meetings of governmental bodies would be open to the public; that it is their government and they have a right to know what goes on. He also discussed HB 1883 which deals with badges for legislative council, and would simply provide for them to state what group they represent.

The meeting was adjourned.