

Approved

Date

Stephen R. Cloud 2-24-83

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Rep. Stephen R. Cloud at
Chairperson

9:08 a.m./p.m. on February 18, 1983 in room 522-S of the Capitol.

All members were present except:

Committee staff present:

Avis Swartzman - Revisor
Carolyn Rampey - Research Dept.
Russ Mills - Research Dept.
Jackie Breymeyer - Secretary

Conferees appearing before the committee:

The meeting of the House Governmental Organization Committee was called to order by Rep. Cloud, Chairman, at 9:08 a.m. The minutes of the previous meeting were approved. The Agenda for the meeting was review of bill requests from the Utility Subcommittee and th Board of Nursing Subcommittee Report.

Rep. Louis, Chairman of the Utility Division Subcommittee, introduced a proposed bill request that would remove the Commission's obligation to certify that all statements are true. Mr. Loux, Chairman of the SCC had asked the Subcommittee to act on this recommendation. Rep. Hassler moved to have this proposal introduced as a bill. Rep. Fuller gave a second to the motion. The motion carried.

Rep. Louis introduced a proposed bill request that would permit the director of the appropriate division to serve on the appropriate committee and not just the Director of the Utilities Division. Rep. Matlack moved that the bill request be introduced. Rep. Harder gave a second to the motion. The motion carried.

The Committee turned to the Subcommittee review of the Board of Nursing. Subcommittee Chairperson Wanda Fuller gave opening comments on what the subcommittee had tried to accomplish in this report.

Rep. Fuller moved to accept the Subcommittee Report. Rep. Ramirez gave a second to the motion. The motion carried.

I. The Regulatory Program (Audit Report p. S-3)

1. The legislature should take action to re-establish the state regulatory function over nurses and mental health technicians. This regulatory function should be placed with the State Board of Nursing and the Board extended for eight years under the Kansas Sunset Law.

Committee Discussion.

Rep. Sughrue moved to adopt recommendation number 1. Rep. Walker gave a second to the motion. The motion carried.

II. Complaint Reporting and Investigating (Audit Report p. S-4)

2. The Chairman should send a letter to the State Board of Nursing requesting that the Board document implementation of the actions recommended in the Audit Report to improve complaint reporting and investigations (p. S-4, items a, b, c, and d).

Committee discussion.

Rep. Louis moved to adopt recommendation number 2. Rep. Cobb gave a second to the motion. The motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION,
room 522-S, Statehouse, at 9:08 a.m. ~~XXX~~ on February 18, 19 83

III. Mandatory Reporting Requirement (Audit Report p. S-4)

3. Legislation should be enacted to amend the Nurse Practice Act and Mental Health Technician's Licensure Act to require employers of nurses and mental health technicians to report to the licensing agency any disciplinary actions taken against these licensees or resignations in lieu of disciplinary action for conduct which constitutes a violation of these acts.

Committee discussion.

Rep. Barr moved to amend Item 3 to insert drug related offenses. Rep. Hassler gave a second to the motion.

Committee discussion and input from Dr. Lois R. Scibetta, Kansas State Board of Nursing and Lynelle King, Kansas State Nurses' Association.

Rep. Barr withdrew her motion and Rep. Hassler withdrew her second.

Rep. Fuller moved to adopt recommendation number 3. Rep. Harder gave a second to the motion. The motion carried.

IV. Restrictive and Inconsistent Requirements (Audit Report p. S-5)

4. Legislation should be enacted to eliminate the "good moral character" licensing requirement or revise it to "good professional character."

Committee discussion.

Rep. Cobb moved to amend item 4. by striking the words "good professional character." Rep. Barr gave a second to the motion. The motion carried. Item 4 will read, "Legislation should be enacted to eliminate the "good moral character" licensing requirement."

Rep. Hassler moved to adopt recommendation number 4 as amended. Rep. Barr gave a second to the motion. The motion carried.

The Board of Nursing Subcommittee Report was temporarily suspended to give Rep. Sughrue the opportunity to make an additional recommendation that is not a part of the Subcommittee report. Rep. Sughrue commented that in her opinion it would be good to reinstate the newsletter that would go out to the nurses and institutions twice a year. This recommendation would carry a \$400 fiscal note which does not cover the postage. A letter to the Ways and Means Chairman from our Chairman would carry additional weight to get this accomplished.

Rep. Sughrue moved that this recommendation be accepted. Rep. Fuller gave a second to the motion. The motion carried.

The Committee returned to the Board of Nursing Subcommittee Report.

5. Legislation should be enacted to eliminate the two-thirds vote requirement for disciplinary actions against mental health technicians.

Committee discussion.

Rep. Smith moved to amend item 5 by eliminating the 2/3 requirement and inserting instead, "simple majority". Rep. Sughrue gave a second to the motion. The motion carried.

Rep. Matlack moved to adopt recommendation number 5. Rep. Harder gave a second to the motion. The motion carried.

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6. Legislation should be enacted to revise the mental health technician annual license renewal period and fees to a biennial renewal period, as is the case for nurses.

Committee discussion.

Rep. Sughrue moved to adopt item number 6. Rep. Matlack gave a second to the motion. After discussion regarding fees, Rep. Sughrue withdrew her motion and Rep. Matlack withdrew her second.

Rep. Sughrue moved pass recommendation number 6 and double the fees. Rep. Matlack gave a second to the motion. The motion carried.

7. Legislation should be enacted to establish a mandatory continuing education requirement for mental health technicians.

Committee discussion.

Rep. Ediger moved to adopt recommendation number 7. Rep. Hassler gave a second to the motion. The motion carried.

8. The Subcommittee supports the provision of 1983 SB 26 concerning the exclusion to allow licensed mental health technicians to administer medications.

Committee discussion.

Rep. Walker moved the Committee adopt a neutral position on this recommendation. Rep. Cobb gave a second to the motion. The motion carried.

V. Other Recommendations

9. The Chairman should send a letter to the Attorney General seeking explanation and clarification of the rate of turnover among Assistant Attorneys General assigned to the Board of Nursing, i.e., six different attorneys in eight different capacities within the past two and one-half years.

Committee discussion.

Rep. Ediger moved to adopt recommendation number 9. Rep. Murphy gave a second to the motion. The motion carried.

Eight recommendations were adopted with amendments to some of the recommendations. One recommendation took a neutral position.

Chairman Cloud reminded the Committee that the meetings will move more smoothly if the members observe parliamentary procedure.

Subcommittees will meet Monday; the full Committee Tuesday and Wednesday.

The meeting was adjourned at 10:03 a.m.

SUBCOMMITTEE REPORT

TO: House Committee on Governmental Organization
FROM: Subcommittee on Alcoholic Beverage Control/Board of Nursing
RE: Recommendations on Board of Nursing

The Subcommittee has reviewed the Sunset Audit Report on the State Board of Nursing, held public hearings with interested parties, and submits the following recommendations for Committee consideration.

I. The Regulatory Program (Audit Report p. S-3)

1. The Legislature should take action to reestablish the state regulatory function over nurses and mental health technicians. This regulatory function should be placed with the State Board of Nursing and the Board extended for eight years under the Kansas Sunset Law.

II. Complaint Reporting and Investigating (Audit Report p. S-4)

2. The Chairman should send a letter to the State Board of Nursing requesting that the Board document implementation of the actions recommended in the Audit Report to improve complaint reporting and investigations (p. S-4, items a, b, c, and d).

III. Mandatory Reporting Requirement (Audit Report p. S-4)

3. Legislation should be enacted to amend the Nurse Practice Act and Mental Health Technician's Licensure Act to require employers of nurses and mental health technicians to report to the licensing agency any disciplinary actions taken against these licensees or resignations in lieu of disciplinary action for conduct which constitutes a violation of these acts.

IV. Restrictive and Inconsistent Requirements (Audit Report p. S-5)

4. Legislation should be enacted to eliminate the "good moral character" licensing requirement or revise it to "good professional character."

5. Legislation should be enacted to eliminate the two-thirds vote requirement for disciplinary actions against mental health technicians.

6. Legislation should be enacted to revise the mental health technician annual license renewal period and fees to a biennial renewal period, as is the case for nurses.

7. Legislation should be enacted to establish a mandatory continuing education requirement for mental health technicians.

8. The Subcommittee supports the provision of 1983 S.B. 26 concerning the exclusion to allow licensed mental health technicians to administer medications.

V. Other Recommendations

9. The Chairman should send a letter to the Attorney General seeking explanation and clarification of the rate of turnover among Assistant Attorneys General assigned to the Board of Nursing, i.e., six different attorneys in eight different capacities within the past two and one-half years.

February 16, 1983

Respectfully submitted,

Representative Wanda Fuller, Chairperson
Representative Stephen Cloud
Representative Clarence Love
Representative Alfred Ramirez
Representative Kathryn Sughrue

83-51/RM

SUBCOMMITTEE REPORT

TO: House Committee on Governmental Organization
FROM: Subcommittee on Alcoholic Beverage Control/Board of Nursing
RE: Increased License Fee For Liquor Licensees

The Subcommittee recommends that legislation be drafted to increase the following fees of the Division of Alcoholic Beverage Control:

<u>Fee</u>	<u>Current Fee</u>	<u>Recommended Fee</u>
Original Registration	\$ 50	\$100
Renewal Registration	10	50
Class A Private Club	250	500

83-53/RM