

Approved

Date

3-26-84

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

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

9:11 a.m./p.m. on March 20, 1984 in room 522-S of the Capitol.

All members were present except:

Committee staff present:

Avis Swartzman - Revisor
Russ Mills - Legislative Research Department
Carolyn Rampey - Legislative Research Department
Jackie Breymer - Committee Secretary

Conferees appearing before the committee:

Wayne Probasco - Podiatry Adv. Committee
James Apodaca - Mexican-American Affairs
Jerry Marlatt - Kansas State Council of Firefighters
Robert Bugg - Dept. of Revenue

The meeting of the House Governmental Organization Committee was called to order at 9:11 a.m. by Rep. Stephen R. Cloud, Chairman. He called on Rep. Wanda Fuller, Subcommittee A Chairperson, to give the Subcommittee A Report on SB 479. (See Attachment) I

Rep. Fuller went through the report which gave the following recommendations; three advisory bodies would be abolished, Day Care Advisory Committee; Rehabilitation and Halfway House Advisory Committee; and Natural and Scientific Areas Advisory Board. These bodies have all been inactive for quite some time and the administrators to whom these boards are advisory also supported their abolition. The bodies that would not be abolished include, Fire Protection Personnel Standards; Governor's Residence Advisory Commission; Mexican-American Affairs; Handicapped Employment Advisory Committee; Medical Advisory Board, Driver's License; and Podiatry Advisory Committee.

Rep. Ramirez spoke to number 3 of the subcommittee report in stating that the Advisory Committee on Mexican-American Affairs would like to retain that name and not go with the recommendation of the Senate to change the name to Advisory Committee on Hispanic Affairs.

Rep. Wanda Fuller moved the adoption of the Subcommittee A Report on SB 479.
Rep. Sprague gave a second to the motion. The motion carried.

Chairman Cloud called on Wayne Probasco, Executive Secretary, Kansas Podiatry Assn., who, in turn, introduced Dr. Hepford, Topeka Podiatrist and Dr. Elizabeth Carlson, Board of Healing Arts. Mr. Probasco spoke in favor of retaining the Podiatry Advisory Committee, stating that the Committee meets regularly, they are organized, and they feel they perform a needed function. (See Attachment) II

James Apodaca, Advisory Committee on Mexican-American Affairs, said that the Committee was comfortable with its present name, but could live with the name change. The Senate did not ask them if they wanted it, but put it in SB 479.

Jerry Marlatt, Kansas State Council of Firefighters, told of how active the Fire Protection Personnel Standards Commission is and stated how much is accomplished on such a small amount budgeted for their use. Everyone contributes that is involved. He stressed that it is not a rubber stamp commission. He told of the training involved and the education provided for better fire safety for Kansans.

Robert Bugg, Medical Advisory Board, Department of Revenue, spoke next. He apologized for not getting a report to the Committee. He said the person who is responsible for this is no longer with the department. He explained why the Medical Advisory Board had resigned. The judge in a case involving the board wanted the names of the Board members made public. Because the Board members want to retain their anonymity, they resigned. Mr. Bugg has been handling all the cases himself. Because he has not deviated from the standards set he believes that some cases that might have been passed with a doctor's knowledge and expertise had to be turned down by himself. The present status of the Board is that, of five members needed, four are ready to serve and one more is needed. The first meeting will be in April. He has emphasized to these people the possible problem with

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.

SRE

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION,
room 522-S, Statehouse, at 9:11 a.m./p.m. on March 20, 1984

confidentiality and they understand the problem. On being asked by a Committee member if he thinks he can get a lay person to fill the position, Mr. Bugg replied that he has had several phone calls in to various people that have not been returned. Mr. Bugg and Mr. Lutz, who is also from the Department of Revenue explained the process whereby complaints are triggered. The greatest percentage comes from the examiner, with an equal amount coming from law enforcement and concerned citizens.

Chairman Cloud thanked the conferees and, on a reference being made on the Advisory Committee on Employment of the Handicapped, replied that a phone call had been received prior to the meeting stating that Mr. Kelly, senior consultant of the Committee would be unable to attend.

The meeting was adjourned at 9:59 a.m.

SUBCOMMITTEE REPORT

March 16, 1984

TO: House Governmental Organization Committee
FROM: Subcommittee A
RE: S.B. 479

Pursuant to its review of S.B. 479, the subcommittee makes the following recommendations.

1. S.B. 479, as passed by the Senate, would abolish three advisory bodies:
 - a. Day Care Advisory Committee:
 - b. Rehabilitation and Halfway House Advisory Committee; and
 - c. Natural and Scientific Areas Advisory Board.

The subcommittee supports the abolition of these three bodies because (1) they have all been inactive for an extended period of time; and (2) the administrators to whom these boards are advisory also supported their abolition.

2. The subcommittee supports the continuation of the six advisory bodies which were deleted from S.B. 479 by the Senate.
3. As passed by the Senate, S.B. 479 would change the name of the Advisory Committee on Mexican-American Affairs to the "Advisory Committee on Hispanic Affairs." The subcommittee does not support this provision and urges the full committee to amend S.B. 479 to delete this proposed name change.

Subcommittee Members:

Representative Wanda Fuller,
Chairperson
Representative Clarence Love
Representative Alfred Ramirez
Representative Marvin Smith
Representative Kathryn Sughrue

Atch. I

CRITERIA FOR THE ADVISORY COMMITTEE
EFFICIENCY COMMITTEE PROPOSALS

1. History of the Advisory Board. Dates, etc.
2. What are the main duties of the Advisory Board as you understand its function?
3. How many members is the Advisory Committee authorized by statute?
4. How many yearly meetings are authorized by statute?
5. Who is responsible for selecting the date and time of a committee meeting?
6. How many members are actually appointed to the committee as compared to authorized members of a board?
7. Who is responsible for the agenda for a meeting?
8. How many times has a meeting been cancelled or a decision made not to continue the meeting due to a lack of a quorum?
9. How many times has an idea originated in the committee itself and implemented as policy by the agency?
10. How many times has the agency made up the agenda with the items to be discussed and these items implemented as policy?
11. How many times has the advisory committee rejected programs or ideas by the agency?
12. In your opinion is the advisory committee important to the overall mission of the agency or program?
13. Would the program or agency function without the advisory board?
14. If the board number was reduced would it cut down the effectiveness and mission of the board?
15. Would you support a consolidation of advisory boards when the boards duplicate subjects?

Senate Bill No. 479. (e) The advisory committee on podiatry established by K.S.A. 74-2807

Attached hereto and made a part hereof are answers to the above questions with regard to the advisory committee on podiatry.

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ANSWERS TO CRITERIA FOR THE ADVISORY COMMITTEE EFFICIENCY COMMITTEE PROPOSALS

1. The podiatry Board of Examiners was abolished in 1975; it was replaced by the Advisory Committee on Podiatry (ACP) somewhat as a subcommittee to the Board of Healing Arts (BHA). Powers, duties and functions were transferred to the BHA. In 1976 a podiatrist was appointed as a member of the BHA.
2. The advisory board examines (written and oral) and interviews all candidates for licensure in podiatry in Kansas: fourteen (14) in 1982 and eleven (11) in 1983.

The advisory board also holds informal hearings, and investigates and evaluates any grievance or complaint of any consumer which relates to podiatry or a podiatrist. This includes any complaint of any violation of law or scope of practice of any podiatrist.

The ACP also consults with the BHA regarding any legislation involving podiatry.
3. Three members
4. Basically, two meetings a year are authorized when examinations are given (June and December).
5. The BHA is responsible for the agenda for meetings.
6. Three members (podiatrists) are on the committee. The BHA has thirteen (13) members (5 M.D.s, 3 D.O.s, 3 D.C.s, 1 consumer and 1 D.P.M.)
7. Joint responsibility between BHA and the ACP for meeting agendas.
8. Never
9. Very frequently. The BHA receives a complaint or question and forwards it to the ACP. The ACP then makes a recommendation to the BHA for any formal action that might be required. The acceptance of podiatrists licensed in other states is a constant problem.
10. Frequently. The basic agenda is the giving of the exams. The BHA discusses policy changes regarding podiatry, and requests our opinion and input. The ACP reports to the BHA the pass/fail results of the exams.
11. Seldom. The ACP has no legal power. The ACP has asked the BHA for legislative support which has been provided in the past. Last year there was a change in the physical therapy law, and this year we have requested their help in changing a podiatry postgraduate education requirement.

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Alch II

12. Yes. It is not expensive and it is effective.
13. Yes, it could, but it would basically put the responsibility of licensure and complaints in the hands of one individual, which is not common practice in the health care field.
14. Yes. There are only three members on this committee.
15. Yes, but M.D.s should examine M.D.s; D.C.s examine D.C.s; and D.P.M.s examine D.P.M.s...even more so in handling complaints and violations of licensure.

Harold J. Sauder, D.P.M.