

Approved _____ Date 3-25-85

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by Marvin Littlejohn at _____
Chairperson

1:30 /a.m./p.m. on March 21, 1985 in room 423-S of the Capitol.

All members were present except:

Committee staff present:

Emalene Correll, Research
Bill Wolff, Research
Norman Furse, Revisor
Sue Hill, Secretary to Committee

Conferees appearing before the committee:

None

Visitor's register, (see Attachment No. 1.)

Chairman called meeting to order and directed attention to discussion and action on SB 81, SB 91, SB 92.

SB 81 began:-

Rep. Branson had questions of staff in regard to protocol for patient transition from Emergency Service care, to the care of hospital staff. Ms. Correll and Mr. Furse both answered questions in this regard. It is local medical staff that sets the protocol in rural areas. Mr. Furse stated that legally there are no requirements that would mandate setting such protocol, so it is assumed that the hospitals set their own procedures. There was discussion held in this regard. Chairman approved Ms. Correll asking questions of Mr. Lyle Eckhart of Bureau of Emergency Medical Services, Dept. of Highway Patrol. The intent of the bill in regard to the critical time period in transporting a patient was discussed.

Rep. Bideau then had concerns answered by Staff in regard to liability situations. Ms. Correll stated there is law presently that states a physician or nurse who directs emergency medical service personnel to do a procedure is relieved of civil liability other than for gross and wanton negligent acts, and for emergency medical personnel who are acting in direct response to the direction of a nurse or physician are relieved of liability. Such liability is limited though and is not all civil liabilities.

There was lengthy discussion in regard to liability issues in SB 81. Rep. Bideau made a motion to delete all of Section 6, motion seconded by Rep. Runnels. Lengthy discussion ensued. The Good Samaritan Act was discussed; laws currently governing emergency medical service personnel, and how they would differ after and if SB 81 is enacted; volunteer personnel would be more cautious before lending their services to emergency training programs.

Rep. Neufeld made a substitute motion to move SB 81 favorably out of committee, seconded by Rep. Blumenthal. Lengthy discussion ensued.

Point of order raised as Rep. Bideau spoke to SB 81. Chair noted it was on the bill as a whole, so invited Rep. Bideau to proceed. Discussion then in regard to liability took place. There are three situations where the ambulance system will have protection, accident scene; where emergency medical personnel is working without compensation; and at a physicians direction. There was discussion in regard to others wishing to amend SB 81 to address other concerns.

Rep. Neufeld and Rep. Blumenthal withdrew their motion to pass SB 81 out favorably.

Rep. Bideau and Rep. Runnels then withdrew their motion to amend SB 81 by removing Section 6.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
 room 423-S, Statehouse, at 1:30 a.m./p.m. on March 21, 19 85

SB 81 continued:-

Rep. Branson stated the emergency medical personnel have only 4 months training, and it is of concern to her that language be more defined. Rep. Branson moved to amend SB 81 on line 77 to add language, "Such authorization shall not extend to the performance of cardiac defibrillation in a medical care facility, except when waiting to transfer the patient to the care of a licensed physician or nurse authorized to give care within the facility. Motion seconded by Rep. Runnels. Discussion ensued.

Rep. Friedeman made a substitute motion to pass SB 81 out favorably, seconded by Rep. Neufeld. Discussion continued. Question called by Rep. Buehler, vote taken, motion carried. Rep. Bideau and Rep. Branson recorded as NO votes.

Chair called attention to SB 91, and an attachment offered to committee by Ms. Frances Kastner who was unable to testify yesterday. (see Attachment No. 3.) for details.

Rep. Williams moved to report SB 91 out of committee adversely, seconded by Rep. Friedeman. Vote taken, chair in doubt, show of hands indicated 9 in favor, and 7 against. Motion carried, SB 91 moved out of committee adversely.

SB 92:

Rep. Blumenthal made a motion to amend SB 92, line 30 after the word "services", to add language, "and one other individual from Community Mental Retardation Services", and to delete language in line 33 and 34, "one from the faculty of the University of Kansas Medical School". Motion seconded by Rep. Branson. Lengthy discussion followed.

Rep. Branson made a substitute motion to amend SB 92 by, beginning in line 35, continuing in line 36, to delete, "one from the staff of the veterans' administration hospital", and add as Rep. Blumenthal's motion suggested, "one other individual from Community Mental Retardation Services". No second made, so motion not in order.

Vote taken on Rep. Blumenthal's motion to amend SB 92, motion carried.

Rep. Friedeman moved to amend SB 92 beginning in line 35, continuing in line 36, to delete, "one from the staff of the veterans' administration hospital", and line 27, change the number from 13, back to 12 members. Motion seconded by Rep. Hassler. Discussion continued. Rep. Friedeman and Rep. Hassler withdrew their motion.

Rep. O'Neal moved to amend SB 92 beginning in line 28, and continuing in line 29, after the word "governor", to delete, "one of whom shall be a citizen of Kansas who is not a member of the medical profession". Motion seconded by Rep. Friedeman. Discussion in regard to the necessity of keeping balance on this commission and other commissions by having a public citizen giving input. Question called by Rep. Cribbs, vote taken, motion failed.

Rep. Williams moved to amend SB 92, beginning in line 30, to insert, "a member of the Kansas Psychological Association, who is", when this appointment becomes available. Motion seconded by Rep. Wagnon. Discussion held. Question called by Rep. Bryant, vote taken, motion carried.

Rep. Hassler made a conceptional motion to have staff incorporate the language to make necessary changes in statutes, in regard to the Advisory Commission as advised by staff information given, seconded by Rep. Harder, vote taken, motion carried.

Rep. Green then moved to pass SB 92 favorably as amended out of committee, seconded by Rep. Blumenthal. Question called, vote taken, motion carried.

Rep. Friedeman moved the minutes of March 20, be approved as written, seconded by Rep. Neufeld, motion carried.

Chairman adjourned meeting at 3:00 p.m.

GUEST REGISTER

DATE 3-21-85

HOUSE

PUBLIC HEALTH AND WELFARE

NAME	ORGANIZATION	ADDRESS
<i>Kath Ayers</i>	<i>Washburn Student</i>	<i>2429 Madeline Lane Topeka</i>
<i>Cindy Zerkner</i>	<i>Washburn Student</i>	<i>360 W. 14th, Auburn</i>
<i>Barbara Stearna</i>	<i>DCAR in KS</i>	<i>1248 Buchanan Topeka</i>
<i>Frances Kestner</i>	<i>Ks Food Dealers</i>	<i>Topeka</i>
<i>Lyle Elshult</i>	<i>KAP-EMS</i>	<i>Topeka</i>
<i>Ken Bates</i>	<i>Visitor</i>	<i>Topeka</i>

*Attn #1
3-21-85*

Attn. # 2
3-21-85

2nd draft

Proposed amendment to SB 81

On line 77 add the sentence: Such authorization shall not extend to the performance of cardiac defibrillation in a medical care facility, except when waiting to transfer the patient to the care of a licensed physician or nurse authorized to give care within the facility.

Attn. # 2
3-21-85

Attn. # 3
3-21-85



Kansas Food Dealers' Association, Inc.

2809 WEST 47th STREET SHAWNEE MISSION, KANSAS 66205

PHONE: (913) 384-3838

March 20, 1985

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Topeka

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**DIRECTOR OF
GOVERNMENTAL AFFAIRS**

FRANCES KASTNER

HOUSE PUBLIC HEALTH & WELFARE COMM.

SUPPORTING SB 91

EXECUTIVE DIRECTOR
JIM SHEEHAN
Shawnee Mission

I am Frances Kastner, Director of Governmental Affairs for the Kansas Food Dealers Association. Our membership consists of wholesalers, distributors and retailers of food products throughout Kansas.

This bill was called to our attention by the Department of SRS, and it does appear to be a tool in properly identifying those recipients of assistance.

Most of you have heard me speak in favor of any measure which would assist retailers in knowing that those in need of services or goods are actually the ones who receive them.

Our Association supports any method or tool which will assure the lowest cost to the consumer, or taxpayers.

We believed this was the case several years ago when we supported the mandatory color photo on driver's licenses, and the non-driver's I.D.

Those individuals who do not have either of the above identifications and who do receive public assistance would no doubt also benefit from having this type of identification to offer retailers.

We support SB 91 and join the Department of Social and Rehabilitation Services in asking your favorable consideration of this bill.

Frances Kastner
Frances Kastner, Director
Governmental Affairs, KFDA

Attn. # 3
3-21-85