

Approved 4-12-1985  
Date

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by Marvin L. Littlejohn at  
Chairperson

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

All members were present except:

Committee staff present:

Emalene Correll, Research  
Norman Furse, Research  
Sue Hill, Secretary to Committee

Conferees appearing before the committee:

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

Chairman called meeting to order at 2:05 this date, calling attention to HCR 5013, HCR 5015, and HR 6046, that need committee action.

Chair recognized Rep. Neufeld who introduced visitor's present today. His brother and nephew, Mr. J. D. Neufeld, and Darren, and Rep. Neufeld's wife, Maxine all attended committee meeting this date.

Chair recognized Rep. Branson, sponsor of HCR 5013, and she distributed hand-out to members, (see Attachment No. 2), for details. This attachment explains amendment proposed by Rep. Branson, line 56, to insert after the word "Request", "the director of alcoholic beverage control to encourage", and after "voluntary posting", insert "to the extent authorized by law". Line 59 after "physicians", insert, "and other health care providers". Add on line 68, (e) Encourage all providers of childbirth education and prenatal classes to provide to participants information on the effects of alcohol on pregnancy;", then to renumber (e), to (f). Further, line 76, after the word "revenue", insert, "the director of alcoholic beverage control". Rep. Branson then moved to adopt this amendment on HCR 5013, seconded by Rep. Harder. Lengthy discussion ensued.

Rep. Foster made a substitute motion to amend HCR 5013 by deleting sub section (a), lines 56 through 58, seconded by Rep. Williams. Lengthy discussion ensued. Vote taken, chair in doubt, show of hands indicated 6 in favor, 11 opposed, motion failed.

Rep. Buehler made a substitute motion to amend HCR 5013, as shown in (Attachment No. 3). Line 71, "Be it further resolved; that the secretary of health and environment develop and propose to the legislature legislation to prohibit a person from selling alcoholic beverages to a woman who the person knows or ought to know is pregnant and providing penalties for violations; and". Motion seconded by Rep. Runnels. Lengthy discussion. Vote taken, division requested, show of hands indicated 5 in favor, 9 opposed. Rep. Buehler's substitute motion to amend HCR 5013 failed.

Rep. Blumenthal called for question on Rep. Branson's motion to amend HCR 5013, vote taken, motion carried.

Rep. Branson moved to pass HCR 5013 favorably as amended out of committee, seconded by Rep. Runnels. Lengthy discussion followed.

Rep. Friedeman made a substitute motion to amend HCR 5013, in order to clarify the authority of Department of Health and Environment, in line 64 have section (d) read as follows; - "Insure that state and local staff of department of health and environment include fetal alcohol syndrome and fetal alcohol effects education on all program components and especially encourage family planning clinics and local health departments; and Rep. Friedeman included in his substitute motion to pass HCR 5013 out favorably as amended, seconded by Rep. Neufeld. Discussion ensued. Vote taken, motion carried.

CONTINUATION SHEET

MINUTES OF THE \_\_\_\_\_ HOUSE \_\_\_\_\_ COMMITTEE ON \_\_\_\_\_ PUBLIC HEALTH AND WELFARE \_\_\_\_\_,  
room 423-S, Statehouse, at 1:30 //a.m./p.m. on April 1, \_\_\_\_\_, 1985

HCR 5015 - Long-term care for elderly in Kansas.

Chairman had committee note, that there was to be a request for an Interim Study on this type of legislation.

Rep. Friedeman moved to table HCR 5015 until after an Interim Study has been done, seconded by Rep. Williams, discussion ensued, i.e., perhaps it would be of better benefit to pass the bill since lines 69 and 70 of the bill directs that a report be submitted to the Governor and legislature prior to January 13, 1986. More discussion followed. Vote taken, motion carried. HCR 5015 is tabled until next session.

HR 6046 - Packaging and labeling of camphor-containing products.

Chair recognized Rep. Branson as sponsor of HR 6046, and she distributed hand-out to members, (see Attachment No. 4), for details that explains the need for labeling of camphor containing products.

Rep. Branson then moved to report HR 6046 favorably out of committee, seconded by Rep. Wagnon, vote taken, motion carried.

Rep. Friedeman moved to approve minutes of March 28th as written, seconded by Rep. Blumenthal, vote taken, motion carried.

Chairman thanked all committee members for their cooperation and positive attitude and hard work during this session, and thanked the staff for a fine job again in helping guide committee through technical aspects of the bills before this committee.

May it be recorded the meeting this date began at 2:00, (rather than 1:30), and was adjourned at 2:55 p.m.

Next meeting will be on call of chairman to approve minutes.



Attn. # 2  
4-1-85

0049 health service has issued an advisory stating that pregnant  
0050 women and women considering pregnancy should not consume  
0051 alcohol: Now, therefore,

0052 *Be it resolved by the House of Representatives of the State of*  
0053 *Kansas, the Senate concurring therein:* That the secretary of  
0054 health and environment is hereby directed to develop a program  
0055 to:

0056 (a) Request voluntary posting of fetal alcohol awareness ma-  
0057 terials in clubs, liquor stores and other establishments selling  
0058 alcoholic beverages;

the director of alcoholic beverage control to encourage  
 to the extent authorized by law,

0059 (b) Encourage physicians to make available in their offices  
0060 fetal alcohol awareness materials;

and other health care providers

0061 (c) Encourage hospitals and maternity centers to keep inci-  
0062 dence data on suspected fetal alcohol syndrome and fetal alcohol  
0063 effects cases;

0064 (d) Insure that state and local staff <sup>H.D.H.Y.E</sup> include fetal alcohol  
0065 syndrome and fetal alcohol effects education <sup>in</sup> all program  
0066 components <sup>and encourage</sup> especially family planning clinics and local health  
0067 departments;

(e) Encourage all providers of childbirth educa-  
tion and prenatal classes to provide to participants  
 information on the effects of alcohol on pregnancy;

0068 ~~(e)~~ Encourage professional continuing education on effective  
0069 alcohol interviewing including sessions designed specifically for  
0070 physicians, nurses, educators, counselors, social workers and  
0071 other health personnel; and

(f)

0072 *Be it further resolved:* That the secretary of state is hereby  
0073 directed to transmit a copy of this resolution to the secretary of  
0074 health and environment, the secretary of social and rehabilita-  
0075 tion services, the state department of education, the department  
0076 of revenue and the state planning council on developmental  
0077 disabilities services; and

the director of alcoholic beverage control

0078 *Be it further resolved:* That the secretary of health and envi-  
0079 ronment is hereby directed to transmit a copy of this resolution to  
0080 professional organizations of nursing, medicine, osteopathy, so-  
0081 cial work, counseling and psychology.

amend  
also  
to

Attn. # 2  
4-1-85

*Attn #3  
4-1-5*

## House Concurrent Resolution No. 5013

By Representatives Branson, Adam, Barkis, Bideau, Blumenthal, Brady, Bryant, Buehler, Charlton, Chronister, Cribbs, Dyck, Flottman, Harder, Hassler, R.H. Miller, Neufeld, O'Neal, Pottorff, Runnels, Sughrue, Wagnon and Williams

2-20

0020 A CONCURRENT RESOLUTION directing the secretary of  
0021 health and environment to develop programs related to fetal  
0022 alcohol syndrome and fetal alcohol effects.

0023 WHEREAS, Fetal alcohol syndrome is one of the three major  
0024 causes of birth defects and the accompanying mental retardation  
0025 in the United States;

0026 WHEREAS, Fetal alcohol syndrome can result in such serious  
0027 health problems as deficiencies in prenatal and postnatal growth  
0028 that are associated with mental retardation, developmental disa-  
0029 bilities that may cause an infant to experience delays in learning  
0030 to walk and speak and heart defects;

0031 WHEREAS, In cases in which the entire fetal alcohol syn-  
0032 drome is not seen, infants may still experience fetal alcohol  
0033 effects, a series of poorly defined health problems that include  
0034 increased irritability during the newborn period and hyperac-  
0035 tivity;

0036 WHEREAS, The discovery of fetal alcohol syndrome as a  
0037 major health problem is a recent occurrence and many questions  
0038 regarding the illness remain unanswered;

0039 WHEREAS, There has never been an infant born with fetal  
0040 alcohol syndrome whose mother did not consume alcohol during  
0041 pregnancy;

0042 WHEREAS, The medical profession generally agrees that  
0043 even a small amount of alcohol consumed during pregnancy can  
0044 adversely affect the fetus;

0045 WHEREAS, Fetal alcohol syndrome can be prevented if  
0046 pregnant women and women considering pregnancy abstain  
0047 from alcohol consumption; and

0048 WHEREAS, The surgeon general of the United States public

0049 health service has issued an advisory stating that pregnant  
0050 women and women considering pregnancy should not consume  
0051 alcohol: Now, therefore,

0052 *Be it resolved by the House of Representatives of the State of*  
0053 *Kansas, the Senate concurring therein:* That the secretary of  
0054 health and environment is hereby directed to develop a program  
0055 to:

0056 (a) Request voluntary posting of fetal alcohol awareness ma-  
0057 terials in clubs, liquor stores and other establishments selling  
0058 alcoholic beverages;

0059 (b) Encourage physicians to make available in their offices  
0060 fetal alcohol awareness materials;

0061 (c) Encourage hospitals and maternity centers to keep inci-  
0062 dence data on suspected fetal alcohol syndrome and fetal alcohol  
0063 effects cases;

0064 (d) Insure that state and local staff include fetal alcohol  
0065 syndrome and fetal alcohol effects education in all program  
0066 components, especially family planning clinics and local health  
0067 departments;

0068 (e) Encourage professional continuing education on effective  
0069 alcohol interviewing including sessions designed specifically for  
0070 physicians, nurses, educators, counselors, social workers and  
0071 other health personnel; and

0072 *Be it further resolved:* That the secretary of state is hereby  
0073 directed to transmit a copy of this resolution to the secretary of  
0074 health and environment, the secretary of social and rehabilita-  
0075 tion services, the state department of education, the department  
0076 of revenue and the state planning council on developmental  
0077 disabilities services; and

0078 *Be it further resolved:* That the secretary of health and envi-  
0079 ronment is hereby directed to transmit a copy of this resolution to  
0080 professional organizations of nursing, medicine, osteopathy, so-  
0081 cial work, counseling and psychology.

*Be it further resolved:* That the secretary of  
health and environment develop and propose to the  
legislature legislation to prohibit a person from  
selling alcoholic beverages to a woman who the person  
knows or ought to know is pregnant and providing  
penalties for violations; and

5. When selling or changing ownership of a pharmacy, notify the Executive Secretary in writing, return the registration to the Board office within 5 days and request instructions for disposition of drugs. Transfer Controlled Substances in accordance with "Transfer of Controlled Substances" instructions.

6. Return DEA registration and unused DEA order forms (voided out) to the Regional DEA office in Kansas City, Kansas.

### POISON PREVENTION PACKAGING

The Poison Prevention Packaging Act of 1970, administered by the U.S. Consumer Product Safety Commission, is a powerful weapon to reduce poisonings among small children. The Act provides that certain household products which are found to be hazardous or potentially hazardous must be sold in *safety packaging* that most children under five years of age cannot open if these products are in packages for use in or around the household.

Currently required to be in safety packaging by regulations promulgated under the Poison Prevention Packaging Act are the following drugs:

1. human prescription drugs in oral dosage forms;
2. all controlled drugs in dosage forms intended for oral administration;
3. aspirin products, except for certain effervescent and powder forms;
4. methyl salicylate (oil of wintergreen).

Other regulated products which may be found in establishments where pharmacies are located include:

1. certain furniture polishes;
2. preparations containing potassium and/or sodium hydroxide (certain oven and drain cleaners);
3. turpentine;
4. lighter fluid;
5. sulfuric acid;
6. ethylene glycol (anti-freeze);
7. methyl alcohol (windshield washer solution).

*NOTE:* Exemptions have been granted for drugs to which patients need rapid access. These are isosorbide dinitrate and nitroglycerine. Others have been proposed for exemption. Future regulations will cover iron preparations and veterinary prescriptions drugs. Careful monitoring of accidental ingestion data and other statistics may show in the future the need for regulations covering camphor and antihistamines.

The child-resistant containers for these substances must be sufficiently difficult that they cannot be opened by 80 percent of children under five but they must allow access to at least 90 percent of adults, who will then be able to open and properly close the packaging conveniently.

The law does not require that the packaging be so difficult to

Attn. # 4  
4-1-85