

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by Senator Roy M. Ehrlich at
Chairperson

10:00 a.m./~~pm~~ on February 27, 1985 in room 526-S of the Capitol.

All members were present except:

Committee staff present:

Conferees appearing before the committee:

Senator "Gus" Bogina
Senator Audrey Langworthy
Bruce Grene
Steve Vogelsang
Don Hudson
Jim Snyder
Jean Jones
Bill Yorgensen
Clyde Damron
Frank Piepenbring

Others Attending: See attached list

SB-210 - uniform anatomical gift act; authorizing certain medical technicians to perform eye enucleations

Senator Bogina, co-sponsor of SB-210, testified that the intent of the bill is to help a situation in the state of Kansas to obtain portions of eyes for use to help people who are sightless and can be helped by transplants. The bill furnishes another avenue for obtaining needed tissue. The medical technicians would come under laws of the state of Kansas and would take the same course that is required for embalmers.

Senator Langworthy, co-sponsor of SB-210, testified stating there is a need in Kansas for corneal tissue. Senator Langworthy presented a letter from John D. Hunkeler, M.D. speaking in favor of SB-210, stating his feelings that permitting eye bank utilization of a qualified and certified technician would lead to increased efficiency and increased retrieval rates of eye bank tissue in the state of Kansas. Senator Langworthy also read a telegram from Thomas Moore, EBAA President, Houston, Texas, supporting the efforts to have a technicians law passed in Kansas. Attachment I Attachment II

Bruce Grene, Ophthalmologist in private practice in Wichita, Kansas, testified in support of SB-210. Dr. Grene stated that he has worked with all three eye banks affected by this legislation and these three eye banks cannot meet the needs in Kansas. He further testified that he now uses tissue from states where medical technicians are working. Dr. Grene feels that this legislation would improve access to donor eye tissue in Kansas.

Steve Vogelsang testified in support of SB-210. Mr. Vogelsang stated that he was a trained medical technician and worked as a technical director for an eye bank in St. Louis. Mr. Vogelsang stated that there would be better continuity in allowing medical technicians to perform eye enucleations.

Don Hudson, Executive Director of the Kansas City Eye Bank, testified that the eye bank is a non profit organization and that he was personally the product of two eye transplants. Mr. Hudson testified that he felt this bill would produce well trained technicians and give continuity to those performing these technical services.

Jim Snyder, Executive Secretary, Kansas Funeral Directors Association, testified in opposition to SB-210. Mr. Snyder introduced J.A. "Art" Nussbaum,

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 526-S, Statehouse, at 10:00 a.m. ~~PM~~ on February 27, 1985

Board of Governors, Missouri Lions Eye Tissue Bank, Ted Lawwill, Chairman, Dept. of Ophthalmology, KUMC, Michael E. Hettingen, M.D., Medical Director, Clinical Profession of Ophthalmology, K U, Horace Wright and George Messenger. Mr. Snyder testified that it was felt that no donors have been lost with the present system in the state of Kansas and his organization has worked very hard to have a good program going in the state since the enactment of the present law.

Jean Jones, Executive Director of the Kansas Eye Bank testified and presented written testimony in opposition to SB-210. Ms. Jones expressed concern that this bill would open the door for any commercial or private eye bank or organization to come into Kansas and retrieve eyes with no limitation or direction as to where they would be utilized. Ms. Jones stated that it must be a state wide co-ordinated effort to maintain a full service eye bank.

Attachment III

Bill Yorgensen, Corporate Secretary of Kansas Funeral Directors and Embalmers Association and Grand Master, Odd Fellows Lodge, testified and submitted written testimony in opposition to SB-210. Mr. Yorgensen stated that the local embalmer/enucleator works in his own local area and is able to reassure families that the donation of eye tissue will not affect the viewable remains. He also testified that the KFSA covers all areas of Kansas and that the addition of medical technicians would be the beginning of the breakdown of the system which was so well planned and is functioning well. Attachment IV

Clyde Damron, Kansas Eye Enucleator, testified in opposition of SB-210. Mr. Damron further testified that the program as it now operates has been very successful and there have been no problems whereas, in some areas where technicians are used, there have been problems with disfigurement.

Frank Piepenbring, Past President, KS Lions Sight Foundation, testified opposing SB-210. Mr. Piepenbring testified that the Lions Club feel that the state is covered as far as the eye situation is concerned and would like to keep it that way.

Meeting adjourned.

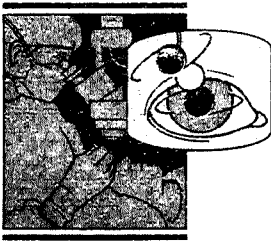
SENATE
PUBLIC HEALTH AND WELFARE COMMITTEE

DATE 2-27-85

(PLEASE PRINT)
NAME AND ADDRESS

ORGANIZATION

NAME AND ADDRESS	ORGANIZATION
Wayne Maibef	Ks. AFL-CIO
1114 14 th Blvd	Central Way
Jean Wahafen	Senate Secy -
Blyde Womson	Kansas Eye Enucleation
George Messenger	Ks EYE BANK
HORACE MERRIOTT	KANS. OOB FELLOW EYE
Wm D. Krogenson	Kansas General Director OOB
Paul A. Rowell	Odd Fellow Lodge - Grand Master
Dave Hudson	KANSAS CITY Eye Bank
Steven C. Vogelsang	K.P. EYE BANK
John Neumann	Part. Citizen
Mack Smith	Bl. of Gov. - Missouri Lions Eye Tissue Bank
Geoff Lawwill, Dns	Ks. St. Bd. of Embalming
Michael E. Hittinger, MD	Dept of Ophthalmology KUMC
R Bruce Greene MD	Medical Director Kansas Eye Bank
Kelli Jones	private practitioner, Wichita
JERRY SLAUGHTER	CUA Topeka
	Ks. MEDICAL SOCIETY



L.L. Hyde, M.D.

John D. Hunkeler, M.D.

Phillip C. Hoopes, M.D.

February 25, 1985

EYE CONSULTANTS INC.

Senator Audrey H. Langworthy
Room 143 North
State Capitol
Topeka, Kansas 66612

Dear Senator Langworthy:

I'd like to speak in favor of Senate Bill No. 210. As an ophthalmologist practicing in both Kansas and Missouri, and treating patients from both states, I feel keenly interested in the legislation of Senate Bill No. 210. As a resident of Kansas, I feel it is my duty to encourage this fine legislation.

As the Medical Director of an eye bank for the past eight years, and as a corneal transplant surgeon, I can comment upon the importance of facilitating legislation, so far as eye banking is concerned. Also, as a regular attendee of national eye bank meetings, and as a board member of the Eye Bank Association of America, I feel familiar with the changing trends in eye banking across this country. The Eye Bank Association of America has developed a program of voluntary certification of the member eye banks. As part of this certification process, eye bank technicians are not only certified, but required to have continuing education and re-certification. The vast majority of eye banks use the services of medical technicians properly trained in retrieval techniques as well as tissue processing. This has led to significant increases in efficiency and quality control with those eye banks who engage the services of qualified technicians.

It is my feeling that legislation permitting an eye bank to utilize a well-qualified and certified technician would lead to increased efficiency and increased retrieval rates of eye bank tissue in the state of Kansas. Furthermore, the waiting list that patients face before they can have a corneal transplant will be significantly reduced, and the attendant morbidity decreased. This legislation should be passed in the best interest of the state of Kansas and its citizens.

Sincerely,

John D. Hunkeler, M. D.

My name is Jean E. Jones. I am executive director of the Kansas Eye Bank and I have held this position for the past two years. Prior to this time I was employed by the 3rd Judicial District of Kansas. Ten years of that time was served as legal assistant to the District Attorney's office and 7 years following, as the Jury Coordinator for the state court. I was also born and raised in Kansas.

I am here this morning to express my concern over Senate Bill 210, which will allow any medical technician to enucleate eyes in the State of Kansas. This bill would open the door for any commercial or private eye bank or organization to come into Kansas and retrieve eyes with no limitation or direction as to where they would be utilized. How can this benefit the people of Kansas? It would only dilute the program and defeat what the Odd Fellows and Rebekahs of Kansas have managed to maintain for the past 25 years. There are approximately 13,000 Odd Fellows and Rebekahs in this state who support this eye bank and have contributed \$85,000 over a four year period. The Kansas Eye Bank was incorporated in 1963 as the Kansas Odd Fellows Eye Bank, Inc. The programs of the Dept of Ophthalmology at K.U. which includes the eye bank, are supported by the 14,000 Lions of Kansas.

The Kansas Funeral Directors formed their own association in 1972, called the Kansas Embalmers & Eye Enucleators Association. We now have approximately 240 embalmer enucleators across the state. By taking away the volunteers who have been actively involved would only destroy the retrieval system in the small communities. Can eye banking afford to have paid technicians in every corner of the state?

The Kansas Eye Bank was one of the first 10 members of the Eye Bank Assn. in 1961. This association has just now formed a funeral industry committee for the purpose of assisting with problems for the funeral directors. Kansas is way ahead in this area. In Kansas approximately 75 percent of the tissue retrieved has been through the assistance of the Kansas Embalmer & Eye Enucleators, and the rest by physicians at K.U. and throughout the state.

2/27/85
Attachment III

It must be a state wide coordinated effort to maintain a full service eye bank. The Kansas Funeral Directors have available in their funeral homes an enucleator to provide a service to their community. The doctors and nurses in the local hospitals assist in a humanitarian cause, and the Kansas Highway Patrol is proud of their participation in tissue delivery.

The Kansas Eye Bank is one of the few in the United States that has been involved in HLA matching. K.U. has patients referred from all over the state. Some people wait a year for matched tissue (HLA). If the technicians law passes there will be less tissue funneled into the Kansas Eye Bank as a result of other organizations moving in and diluting the system.

When this door opens and allows any retrieval group to come into the state they will start to exclude all but the very best tissue. Our program in Kansas has been that we accept all donated eyes, regardless of age or disease. Excluding this kind of tissue will only hamper our attempts to find new prodecures in sight restoration. The Kansas Eye Bank began as a part of the teaching program at K.U. Medical Center, Dept. of Ophthalmology in the early 60's. The eyebank program continues to be an integral part of the department program. Not only is the program useful in teaching the resident physicians about retrieval and processing of transplantable tissue, but is also extremly important in supplying fresh abnormal tissue for research into disease processes and for the development of new labratory and clinical procedures for better use of the eyes. A splintering of the eyebank effort cannot help but be detrimental to the research and education program at K.U.

Hearing Schedule: Feb 27th, 1985 10:00 AM

Introduce self:

I am Bill Yorgensen from Manhattan and have been an Embalmer/Funeral Director since 1953.....and a licensed enucleator for the past ten years. As many Kansas enucleators I have removed eye tissue for our Kansas Eye Bank under many types of circumstances, and during all hours of the day and night.

I am Corporate Secretary of Kansas Funeral Directors and Embalmers Association. Also this year, I serve as Grand Master of the Odd Fellows Grand Lodge of Kansas.....the Kansas Eye Bank is one of that organizations annual projects.....for fund raising and the operation of Eye Bank Chapters over Kansas. During the past few years, Odd Fellows and Rebekah's of Kansas have supplied KU Medical Center with some \$ 85,000.00 for operational expense of Kansas Eye Bank.

My Job as Grand Master:

is to travel Kansas, visiting as many lodges and areas as possible.....and among other things, talk with local lodges and local Eye Bank Chapters about one of their most important annual projects...the Kansas Eye Bank.

The Eye Bank was started by Odd Fellows in 1960, and was incorporated in 1963. Each lodge or district has their own local Eye Bank Chapter.....thus the fund raising.... and the local interest. This is true in large cities....as well as our many rural areas of Kansas. As a total, Odd Fellows and Rebekahs have a great many people working over the state

Embalmer/Enucleator

2/27/85
Attachment IV

In our small town areas these Eye Bak Chapters have one person to reach out to for help.....

and for guidance.....someone that community knows and respects.....and that is their local Embalmer/Enucleator. He or she is in fact the key person in that community that helps make the total Eye Bank Program function so very well. That Embalmer/Enucleator spends his own money for training....refresher classes...his own time for giving programs, helping with donor lists.....fund raising.....to name only a few things.

The Eye Bank Kits for tissue transportation are purchased by the local Odd Fellow Lodges.

This local Embalmer/Enucleator works in his or her local area.... to promote the Eye Bank program as a whole.....doing two most important items. First of all, to cooperate with information, fund raising, and the actual Eye Enucleation. He also serves another major function.....the re-assurance to each family.....that donation of Eye Tissue will not affect the viewable remains for funeral service.

As I travel Kansas

to both our major cities and our rural areas; meeting with Eye Bank Chapters.....and during Lodge Meetings.....I am asked the same question over and over again. Does the Eye removal disfigure the body....??? and is that dead human body still viewable by the general public for funeral service. With the help and cooperation of the local embalmer/enucleator we can give that re-assurance. Over Kansas during many years.....that assurance to families has been a major factor in the Eye Bank Growth.

The Embalmer/Enucleator

has a certain amount of pride about his function in his local community. When we are talking about viewable remains....we are talking about

his area of expertise. We should also recognize Eye Bank Tissue is removed at all hours of the day and night.....in all kinds of weather.....AND WITHOUT ONE PENNYS PAY FOR THE EMBALMER/ENUCLEATOR.

Kansas Eye Bank

at K.U. Medical Center is in it's self an unusual set up.....a truly outstanding example of cooperation.....from the Odd Fellows.....Lions Clubs of Kansas.....the Kansas Highway Patrol.....and from K.U. Medical Center. All working together.....for a better Eye Bank. Dr. Lawwill and the director Jean Jones.....makes many trips out over Kansas for various Eye Bank Chapter Meetings.

I invite each of you to check me out, with a visit to the Kansas Eye Bank.....as it is now set up.....one of the best equipped.....best staffed.....best operated Eye Banks in the Nation. All areas of Kansas are covered for tissue removal.....and for transportation to KU Medical Center. The total program has been put together over many years.....with many people working toward one goal.....an Eye Bank we in Kansas can be very proud to call ours.....and one thats operates at a cost within good judgement.

I would suggest to each of you.....

the additions of medical technicians.....even in our larger sities.....WOULD BE THE BEGINNING OF THE BREAK DOWN OF A SYSTEM SO WELL PLANNED AND FUNCTIONING WELL BEYOND ANY QUESTION.

With more than 200 current licensed Embalmers/Enucleators serving all parts of Kansas.....
...I must raise the question.....with the addition of Medical technicians; would they continue..... I don't think so, and in other areas they have not continued.

BRUCE B. OCHSNER, M.D., P.A.

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WICHITA, KANSAS 67214

(316) 263-6273

DIPLOMAT AMERICAN BOARD
OF OPHTHALMOLOGY

February 26, 1985

Dear Dr. Grene;

I am supportive of the legislation, being presented by Senator Audrey Longworthy, which would allow licensed technicians affiliated with eye banks to obtain eye tissue.

Over the last year as Medical Director of the Central Eye Bank of Kansas the current limitations in requiring M.D.'s or Morticians to harvest eye tissue has been restrictive which has resulted in long delays in obtaining corneal tissue for corneal transplants.

Sincerely,



Bruce B. Ochsner, M.D.

BBO/br