

Approved February 3, 1986
Date

MINUTES OF THE House COMMITTEE ON Judiciary

The meeting was called to order by Vice Chairman Robert Wunsch at
Chairperson

3:30 ~~a.m.~~/p.m. on January 23, 1986 in room 313-S of the Capitol.

All members were present except:

Committee staff present:

Jerry Donaldson, Legislative Research Department
Mike Heim, Legislative Research Department

Jan Sims, Committee Secretary

Conferees appearing before the committee:

Ralph Gundelfinger, Providers Insurance Company

Mr. Gundelfinger appeared before the committee and said that his company insures 27 hospitals in Kansas. His company supports all provisions of HB 2661. He feels the cap will have a stabilizing effect on rates and bring competition back into the market and open the market to more companies. He stated that screening panels would clear court dockets of questionable claims and assure a position on dockets for meritorious claims. He felt rates would go down with passage of HB 2661. He feels that tort reform is the only way to return the companies to profitability. He stated that screening panels will be the area most closely looked at by the courts and pointed out to the committee that while in effect in Missouri screening panels had a dramatic effect in bringing down both the number of cases going to court and the awards entered. Missouri has since declared their screening panels unconstitutional. Members of the Committee questioned Mr. Gundelfinger about the wording of the screening panel provisions of HB 2661 compared to Missouri law.

The Vice Chairman stated that the Committee has had a bill request from the Department of Social and Rehabilitation Services concerning removal of children from a home wherein a judge would be required to use every reasonable effort to prevent removal of children from a family home and assure himself there is truly an emergency. Rep. Douville moved that the bill be submitted to staff. Seconded by Rep. Shriver. Motion carried.

The Vice Chairman stated that the Committee has had a bill request from the Department of Social and Rehabilitation Services concerning the removal of a spouse accused of sexual child abuse or exploitation before removing the child from the home. Rep. Walker Moved that the bill be Submitted to staff. Seconded by Rep. Wagnon. Motion carried.

The Vice Chairman adjourned the meeting at 4:00 P.M.