

Approved _____

2/13/86
Date *ph*

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 February 10, 1986 in room 423-S of the Capitol.

All members were present except:

Rep. Foster, excused.

Committee staff present:

Bill Wolff, Research

Sue Hill, Secretary to Committee

Conferees appearing before the committee:

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

Chairman called meeting to order when quorum present, noting there would be briefings this date on HB 2301, HB 2710, HB 2730, HB 2731, HB 2747. Also discussion and possible action on HB 2492, HB 2729, and HB 2732.

Chair called on staff member Bill Wolff, to brief members on above mentioned bills.

Briefings began on:

HB 2301:-- This bill would require the fingerprint impression of a newborn child to be placed on the birth certificate of the child in a manner prescribed by the Secy. of H. & E. by rules and regs. This then, would become a part of Vital Statistics Act.

HB 2710:-- This would change the definition of General Assistance to be general assistance to persons unable to engage in employment and to families in which a minor child or a pregnant woman resides as specified by rules and regs. adopted by the Secy; Page 6 of the bill, Sub. Sec. (d), statutes specifically addresses the eligibility requirements for general assistance, the cost of which is not shared by the Federal government; Page 6, line 218 speaks to qualifying for general assistance, and continues to line 232, top of Page 8.

At this point the Chair interjected information from fiscal note that gives dollar figures, i.e., The effect of this amendment is to eliminate current general assistance program referred to as transitional general assistance, and Div. of Budget estimates the continuation of the program in FY 1987 would require State General Fund expenditures of \$9,300,524. Passage of HB 2710 will require NO adjustments in the 1987 Governor's budget report, however, if the transitional general assistance program is continued, additional expenditures of \$6,946,754 from the State General Fund will need to be added to the Governor's budget recommendation for 1987. Chair noted there will be copies of this Fiscal Note made available to committee members at tomorrow's meeting.

HB 2730:-- Bill recommended by Joint Committee on rules & regs. Also the Executive Director of Board of Behavioral Sciences reviewed these recommendations and a decision that there were other statutory changes needed, they were to work with the Revisor, Mr. Furse, to put together one bill that would incorporate all changes that had been addressed. Page 1, line 28, they would like extenuating circumstances defined, these are spelled out on Page 3, line 114, sub. (h); further, on top of Page 2, lines 48 through 50, speaks to how the Board implements it's specialities in social work, and what the statutory authority was relating to specialties. The statutes now make a change from the word "method" to "specialty". The Board has authority to approve the supervised experience referred to in line 48. Further, he stated there is clean-up language in pages 2 and 3. Mr. Wolff continued, Page 4, line 130 through 134, a change made to correct the exemption of institutions, back to the exemption of people, now reading, "Any individual employed by a hospital and working in the area of hospital social services to patients of such hospital on July 1, 1974, is exempt from the provisions of this act.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 423-S, Statehouse, at 1:30 a/m/p.m. on February 10, 1986

Briefing on HB 2730 continues:--

The effect, Mr. Wolff said, is that only licensed social workers should be hired to perform such services required. Shown on bottom of Page 4, speaking to the application for renewal, there is an effort to stop practice among many who do not bother to renew their license upon its expiration and continue to practice as a social worker as the statute would allow under some other licensed person. This makes it impossible for the Board to really tell who should and shouldn't be licensed. The Board's position then that anyone who had qualified for licensure, been licensed, allowed their license to lapse through non-renewal, should not be out there practicing, for whatever reason. Language that appears in (c), line 147, and (d), line 151, speaks to this issue and the penalties applied thereto.

Further, Sec. 5, on page 5, line 167, speaks to concerns of the Board about how much information can be disclosed. New Sec. 6, Page 6, line 208 sets out new language that gives the Board authority to request an injunction for someone who may engage in a violation of this act.

Briefing of HB 2731:-- This act removes any uncertainty in New Sec. 1, by directly authorizing the Board of Behavioral Sciences to establish specialities within the practice of psychology, and provide for endorsement of certified psychologists in those specialities. This removes any ambiguity in statutes as the the Board's authority also to license psychologists by speciality.

Briefing of HB 2747:-- Two sections are amended, definition of "boarding house" is shown top of Page 2, saying the term "boarding house" shall not include facilities licensed under paragraph (7) of Subsection (a) of K.S.A. 1985 Supp. 75-3307b and amendments thereto. He stated there is a writing in of a definition of boarding house exemption of certain other facilities. Basically Sec. 2 intrusts to the Secy. of SRS responsibility relating to enforcement of the law in regard to hospitalization of mentall ill persons, in various treatment centers, and new Sec. 7, speaks to the regulations which sets down the authority for the Secy. to set standards, inspections, and licensing for these boarding houses in the food service and lodging act.

Chair then called attention to committee discussion and action to be taken on several bills at this point.

HB 2492:-- Discussion began, i.e., will removal of step two in HB 2492 make more effective legislation; critical issue is time between 1st visit and last inspection visit, not an extra step; citation needed, but assessment of penalty perhaps not necessary. Rep. Williams moved to report HB 2492 unfavorably, seconded by Rep. Buehler. Discussion ensued, i.e., function of committee is to see tht infractions in homes are corrected, not to stall; concern for patient care is vital in these situations; some say this middle step is needed; some infractions are not severe enough to require penalties, but may take a period of time to correct. Mr. Dick Morrissey was asked to answer question, in regard to the time frame between issuance of correction order and final inspection when penalty may be issued. He went through the procedure step by step. Discussion continued, i.e., we have worked on a bill likened to this one in this committee many times, good legislation has been set down, and now is not the time to lessen restrictions to homes that care for our older loved ones.

Vote taken, Chair ruled motion carried, division called, show of hands indicated 9 in favor, 4 against, motion carried, HB 2492 reported adversely out of committee.

HB 2729:--Rep. O'Neal made a motion to amend HB 2729, Page 6, Sec. 2, (5), line 218 to add after the words cosmetic act, "or the uniform controlled substances act of the state of Kansas. Motion seconded by Rep. Green, 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 February 10, 1986.

HB 2729 continues:--

Rep. Friedeman made a conceptional motion to amend HB 2729 to make it clear the pharmacies have right to maintain a patient profile record, but not to have it mandated by statute, motion seconded by Rep. Buehler. Discussion ensued on this conceptional motion, i.e., non-prescription drugs being maintained on this profile record; difficulty in keeping an accurate record of same; necessity or not of mandating this rule; burden on pharmacists in keeping voluminous records. Mr. Ken Schafermeyer was invited to answer questions from members in reference to these concerns. He said it is their position that over-the-counter drugs not necessarily be included in this profile, however, to be complete a file, it is important they be included because of interaction of some drugs. At this point, Rep. O'Neal made a substitute motion to amend HB 2729 by striking lines 379 through 384, on Page 11, and to renumber sections accordingly. Motion seconded by Rep. Hassler, vote taken, motion carried. (Please note Attachment No. 2, for amendment to strike language in Page 6, sec. 2, (5) of HB 2729.

On HB 2729 as a whole, Rep. Friedeman moved to pass it out favorably as amended, seconded by Rep. Pottorff, motion carried.

HB 2732:-- Background information was given on this bill, then Rep. Green moved to pass HB 2732 adversely, seconded by Rep. Wagnon. Discussion ensued, i.e., it was felt the Dental Board should have authority to make some of their regulations, and there have been few if any, complaints thus far in regard to issue spoken to in the bill. Chair had members note that it is the policy of Rules & Regs. to ask that no examples be set out specifically in statutes, and that was reason for this bill request.

Vote taken, motion carried. Rep. Williams recorded as NO vote. HB 2732 adversely passed.

Chair stated the balloon copies on SB 179 and HB 2663 should be forthcoming. Our Revisor Mr. Furse is ill, but as soon as we receive these copies, he will bring them up before committee.

Meeting adjourned 2:40 p.m.

GUEST REGISTER

DATE 2/10/86

HOUSE

PUBLIC HEALTH AND WELFARE

Date 2-10-86

NAME	ORGANIZATION	ADDRESS
Butch Eaton	RHCA	Topeka
Dick Hummel	KS Health Care Ass'n	TOPEKA
Marilyn Thomas	Bethel College (social work)	N. Newton
Susan Roberts	Bethel College	N. Newton
Anne Miller	"	"
Clarence B. Shuler	"	"
Becay Leela Thomas	Bethel College	N. Newton
Theresa Sawicki	KANSAS NARAL	Topeka
Bessie Cusack	Prof. Psychologists	"
Susan Martinez	Bethel College	N. Newton
Wendy Funk	Bethel College	North Newton
Dennis Detweiler	Bethel College	North Newton
Barbara	KAHA	Topeka
Barbara Kubal Gehring	Bethel College	N. Newton
Kathleen Heenders	Bethel College	North Newton
Ric Silber	DOB	"
North Class	United Way	Topeka
Robert Boyer	RBI	Topeka
Ada Schmidt Tieszen	Bethel College	North Newton
Richard Morrissett	II DART	TOPEKA
Barbara Silber	LD #4	TOPEKA
Tom Rossblot	TOPEKA / KSNA	KSNA
Robert Huser	SRS	Topeka
Burt Remert	Planned Parenthood	"
Frances Kastner	Ks assn marriage & Family therapy	Topeka
Ken Schermerhorn	Ks. Pharmacists Assoc.	Topeka

Attachment 1
2-10-86
Hs. PHW

PROPOSED AMENDMENT TO HB 2729

Page 6, Sec. 2.(5), line 0217

(5) the registrant has violated a provision of the federal or state food, drug and cosmetic act or the uniform controlled substances act of the state of Kansas.

Attn. #2
2-10-86
Hs. PHW