

Approved _____

Date 3-27-86

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 March 20, 1986 in room 423-S of the Capitol.

All members were present except:

Rep. Branson, Rep. Foster, both excused.

Committee staff present:

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

Conferees appearing before the committee:

None

Visitor's register, (see Attachment No.1.) NONE

Chairman called meeting to order, noting Revisor, Mr. Furse is working on a new House Resolution in regard to HCR 5015. The Resolution will be considering the Long Term Care Commission, Senior care Act, so there may be two different Resolutions. There will also be another bill coming from Federal and State Affairs Committee in regard to changing hospital law in a specified area. He then called attention to bills yet to be considered in this committee before Senate Bill deadline, April 1st.

Chair invited staff to brief members on bills yet remaining in committee.

Ms. Correll began briefings on the following:

SB 670:

This bill was requested by Senate Public Health and Welfare, and amends statutes to authorize hiring of coordinator to work on projects and provide staff assistance to committee. Money to fund would come from Children & Youth Advisory Committee from money in Children and Youth Trust Fund who receive money from Marriage License fees. There would be no cost to the State General Fund.

SB 672:

This bill would amend four statutes in regard to licensing of boarding homes for children, or maternity homes. These concern Boarding Homes for children and Family Day Care Homes. In general the amendments would increase maximums on fees that are applicable to license fees for Boarding Homes for children. Authorize a fee for registration for Family Day Care Homes; do away with reporting to judges all licenses that are issued for operation of child care facilities; change on-site inspection of maternity homes and child care homes from twice annually to once a year. Secretary of Health and Environment requested the bill. It does need to be amended, Page 2, line 64, to set a fee since no fee had previously been outlined, and there is a cost involved in registering of such homes. She outlined the remainder of the bill.

SB 690:

This bill was requested by the Secretary on Aging, to authorize a toll free network for persons who have questions in regard to Alzheimers, and other related diseases. The request came from recommendations of the Alzheimers Task Force. At this time it is felt that a separate office isn't necessary, and she suggested language in lines 29-35 be carefully studied since it might be appropriate they be deleted from the bill. This would not hurt SB 690 she said. There is presently a toll free line that is used mostly for adult abuse in adult care homes.

There was discussion as to why this is not a Resolution rather than a Bill. Task Force didn't direct that the legislation be a Bill or Resolution, just that further study be done and it was noted this was a joint request. Judiciary is looking into it because of the division of assets problem. Further discussion ensued, i.e., the huge fiscal notes that will be involved in legislation of this type and the complexity of the Bills will probably serve to have the Bills related to Alzheimers and related diseases be sent to Interim Study this summer.

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 20, 1986

Briefings continued.

Rep. Wagnon asked members to note that the division of assets Bill in Judiciary Committee has rather far reaching complications and it was felt if it were to receive any kind of serious consideration, with the rush at the bill deadline in committee, it was impossible to thoroughly go into the Bill at that time. She would like members of this committee to know that Judiciary didn't reject this proposal outright. They did take a hard look at it, and there is still more work to be done from many angles.

HB 3023:

Ms. Correll gave briefings on this bill, saying it needs careful consideration as to policy procedure as to whether or not the Legislature wishes to change policy which has been followed in regard to Physician's Assistants, i.e., change in name from Physician's Assistant, to Physician Assistant throughout the bill; on line 43 to delete language that speaks to requirements that proof be presented to the State Board of Healing Arts, graduation from an accredited high school or the equivalent thereof. This no longer applies since a Physician's Assistant, (PA), can take a National examination and can be certified by a National Organization. However, Ms. Correll said that constitutionally she did not believe the State could say only those who could practice as PA's are those who have completed that certified examination, therefore it would be necessary for the Board of Healing Arts to set some standards, i.e., whether or not they choose to omit graduation from high school as criteria. Line 52-56 speaks to military personnel as trained PA's, and the training required for them to become registered in a civilian profession as PA. Policy Change occurs again Page 3, Section (b), that speaks to what the PA can do. Policy now in force requires that the PA act directly under the direction of the physician. Even though they, after having passed requirements and received their registration to become a PA, they cannot practice independently. Line 108 language would allow Board of Healing Arts to determine if a PA has committed violations which might cause suspension or removal from the register of PA's. The important issue here is, the physician is liable for the actions of the PA. Other changes in the bill are technical. It is clear there are concerns with liability in this bill.

HB 3051:

Section 2, Page 2 has language that commonly is not used in Statutes of Kansas, and she assumed that it may have been copied from legislation from some other state. The basic thrust of Sec. 1, is to speak to fact that currently care provided for functionally disabled adults is provided for by friends or family members or other community members who are not compensated for their services. Lines 55-58 speak to encourage persons to provide care, and to expand coverage of services. Reimbursement for services would be done on a sliding fee basis, not currently available. This bill she noted, is not specifically a bill for Alzheimer's disease, but for functionally impaired adults. She discussed the bill in detail section by section, asking members to note technical changes. Policy question here, is whether the Legislature wants to start a new system in another agency when you already have a system in place that could be expanded to include persons who are not eligible for existing programs.

Section 5 directs the Secy. on Aging to establish criteria for program eligibility, but she pointed out that the SRS has already a system in place for determining financial eligibility. The Legislature has traditionally said SRS would determine criteria. She suggested members look carefully at Page 4, Sub (c), that speaks to having persons 50 years of age and older to receive training to provide services. Paragraph (b) is not appropriate; Page 5 (e) and (f) not appropriate as well. Lines 163-180 were considered by the Insurance committee to be not appropriate. She answered questions from members, i.e., sticky issues involved in whether or not all services provided should be done by licensed personnel. Many persons do not wish to become medicaid clients, (Welfare). State of Washington has developed a program to require a statewide alternate care system, and Kansas Legislation could look at the experiences of that state, and it might help to come up with programs to help these persons. Can care givers take over the large numbers of patients who are currently receiving care from family, friends, Church groups, etc.

Meeting adjourned. Next meeting will be March 24, 1986, at 1:30 p.m.