

Approved April 9, 1986
Date

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS

The meeting was called to order by Senator August "Gus" Bogina at
Chairperson

11:00 a.m./p.m. on April 3, 1986 in room 123-S of the Capitol.

All members were present except:

Committee staff present:

Research Department: Robin Hunn, Laura Howard
Revisor's Office: Norman Furse
Committee Office: Judy Bromich, Doris Fager

Conferees appearing before the committee:

Dr. Lois Rich-Scibetta, State Board of Nursing
Terri Rosselot, Kansas State Nurses Association
Jean Sagan, Attorney, Board of Regents
Rick von Ende, University of Kansas
Marlin Rein, University of Kansas Medical Center
Harold Riehm, Kansas Association of Osteopathic Medicine (written testimony)
Ed Desoignie, Policy Coordinator, Department of Transportation
Major General Ralph Tice, Adjutant General, State of Kansas

SB 737 - Authorizing Board of Nursing to charge fees for institutes, etc.

Dr. Scibetta read from her prepared testimony (Attachment A). There was a brief discussion following her presentation.

Ms. Rosselot distributed her prepared testimony (Attachment B). Committee members were given opportunity to question her.

Motion was made by Senator Feleciano and seconded by Senator Werts to report SB 737 favorably for passage. The motion carried by roll call vote.

SB 741 - Board of Regents; increasing by one percent retirement contribution of employer toward purchase of retirement annuities for faculty members and certain employees

Ms. Sagan explained that this measure raises by one percent the retirement annuity contribution made by the employing Regents' institution on behalf of unclassified staff. She said this enhances the ability to recruit quality faculty members.

Senator Bogina recalled that this is a companion bill to the appropriations measure as it left the Senate. He stated that he was not sure the appropriation is still in SB 537. It was decided this needs to be held until the appropriations measure is finalized.

SB 742 - Concerning surety bonds and insurance for purchase of malpractice insurance for certain students of University of Kansas School of Medicine

Mr. von Ende explained that this had been suggested by the University in hearings on KUMC before the subcommittee. He said that some teaching hospitals have been able to negotiate for hospital liability. SB 742 would authorize the committee on surety bonds and insurance to negotiate if they think they can get a better price on insurance coverage. He noted that the effective date should be changed to "publication in the Kansas Register."

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS

room 123-S, Statehouse, at 11:00 a.m./p.m. on April 3, 1986.

SB 742 - Continued

When asked by Senator Johnston how it is possible to obtain a lower price on a negotiated basis than on a bidding basis, Mr. von Ende said he is not sure that can be done, but that it is a fact that other teaching hospitals have been able to do so. He stressed that SB 742 merely gives permission to negotiate. There followed an extended discussion concerning the pros and cons of negotiating bids.

Ms. Sagan said it is her understanding that SB 742 relates to all health science students in residence or training. She said there are also physical therapists, occupational therapists, nurses, etc. She requested that, if the bill is enacted, an amendment be made in lines 24 and 25 to read "health science students at universities under the control of the State Board of Regents."

Ms. Sagan continued by stating that it would seem appropriate to treat all people in the same fashion. She stated that the people involved provide their own insurance policies at this time before they can be placed in clinical training. At Wichita State University the students pay toward the insurance, and the school buys the policy. She added that the insurance policies are becoming very expensive.

Answering a question from Senator Gaines, Ms. Sagan said that nurses who seek to affiliate with another hospital must carry liability insurance.

Mr. Rein reaffirmed Mr. von Ende's statements. He reiterated that the bill arose out of concern for the drastic increase in cost of liability insurance. He said it seemed that every opportunity should be explored to assure that costs be minimized.

Senator Feleciano asked if Mr. Rein had any problem with the amendment offered by the Board of Regents. Mr. Rein said he was not aware that students are required to provide their own insurance at other schools. He added that the Medical Center insures the students and the cost is modest. He suggested that it is the state's responsibility to insure them, because they do go off campus for some of their training.

No action was taken on SB 742.

SB 747 - Establishing the osteopathic scholarship repayment fund

Mr. Riehm, Executive Director, Kansas Association of Osteopathic Medicine, was unable to attend the meeting, but presented written testimony supporting SB 747 (Attachment C).

Ms. Sagan stated that the Board of Regents has some concern about SB 747. She said they feel there should be a delay mechanism in the bill so it will be known in advance how many scholarships will be available. According to Ms. Sagan, the Board feels there should be a statement included which provides that, should the funds in the repayment fund not reach the level as in the past, it would be supplemented by the State General Fund.

During succeeding discussion, Senator Bogina indicated that it was not the intention of the committee that this be the only funding for these scholarships. Ms. Sagan said the Board had no objection to earmarking the money in the scholarship repayment fund, so long as other funding will be available.

Motion was made by Senator Feleciano and seconded by Senator Gaines to report SB 747 favorably for passage. The motion carried by roll call vote.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS,
room 123-S, Statehouse, at 11:00 a.m./p/m. on April 3, 1986

SB 749 - State emergency fund; authorization of its use for payment of expenses of the Kansas Civil Air Patrol in certain instances

General Tice explained that the Civil Air Patrol has been supporting emergencies in Kansas for many years. He stated that SB 749 provides that, in case the Adjutant General does not have enough people or funds during an emergency, he would be able to reimburse the volunteers for the fuels to support their aircraft, for example. He indicated the cost would be approximately \$800 to \$1,500 per year, according to past experience. The money would be spent from the emergency funding in the Adjutant General's Department. There were questions from committee members.

Mr. De Soignie said the Department of Transportation is supportive of SB 749, and have worked with the Adjutant General's office on it. He said the DOT would urge that this legislation be passed.

Motion was made by Senator Johnston and seconded by Senator Werts to report SB 749 favorably for passage. The motion carried by roll call vote.

CONSIDERATION OF MEASURES PREVIOUSLY HEARD

SB 693 - Feasibility study of Western Kansas Turnpike or freeway projects

Motion was made by Senator Kerr and seconded by Senator Johnston to report SB 693 favorably for passage. The motion carried by roll call vote.

There were questions about the appropriation included with the bill. Senator Kerr asked if there would be any financial benefit to combining this study with the southeast Kansas study. It was the concensus that this might be so, and also that the Turnpike has the authority to combine the two studies if both bills pass the Legislature.

The motion carried on roll call vote.

SB 641 - Residency requirements for fees at Regents' institutions

There was a brief discussion concerning this measure, but no further action was taken.

SB 646 - Retirement annuities of faculty and other persons by state board of regents

Senator Johnston expressed concern about previous testimony regarding the discrepancy among incoming faculty members, with some having TIAA contracts and others not having them. Ms. Sagan explained that the exception to the two year waiting period is that if a faculty member has a contract, the TIAA coverage starts immediately. She said that a person can get a TIAA contract simply by writing to the TIAA and sending \$50. She said the Regents' institutions are in a dilemma, because there is the issue of individual rights under the First Amendment of the United States Constitution.

There was discussion concerning the possibility of the State of Kansas restricting the use of the above practice by requiring that each individual must have the contract for a given amount of time in order to be immediately eligible for TIAA coverage.

Ms. Sagan said that the benefit in Kansas is already non-competitive on a national basis, and that the legislation as proposed would make Kansas' benefit package more competitive.

Senator Talkington suggested that there are two policy decisions involved: (1) Everyone needs to be treated the same; (2) Should this question be a recruiting tool?

No action was taken on SB 646.

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The meeting was adjourned by the Chairman.



KANSAS STATE BOARD OF NURSING

BOX 1098, 503 KANSAS AVENUE, SUITE 330
TOPEKA, KANSAS 66601

Telephone 913/296-4929

TO: The Honorable Gus Bogina, Sr., and Members of the
Senate Ways and Means Committee

FROM: Dr. Lois Rich Scibetta, Executive Administrator

DATE: April 3, 1986

RE: Senate Bill 737

Thank you Mr. Chairman for the opportunity to speak regarding Senate Bill 737. The Board wishes to thank the Committee for introducing this Bill, with special thanks to Senators Johnston and Kerr.

The Board of Nursing requested that the Senate Budget Sub-Committee grant the Board the authority to establish a separate Educational Conference Fund. This fund would be separate and apart from the Nursing Fee Fund.

The Board of Nursing has a legislative mandate to conduct educational programs (K.S.A. 74-1106(c), 4). The Board of Nursing requested permission to set up a separate Educational Fund to expedite the collection of monies for educational conferences/institutes only.

The Educational Fund established in SB 737 will enable the Board to offer educational institutes or workshops and to defray the cost of the educational offering through the collection of fees from the participants.

At the present time, the Board staff and members participate in numerous workshops throughout the state and the approved continuing education providers make a profit at the State's expense. Currently the Board is not authorized to collect costs for workshops and/or educational conferences, and the Board is forced to rely on other providers to conduct the workshop/institute. There are many relevant issues that the Board needs to address in an institute or workshop, changes in the Rules and Regulations, legislative issues, disciplinary matters and changes in educational policies. Currently, the Board plans a November 1986 workshop.

S. W. J. M. 4/3/86
11:00 AM

A 4-3-86

The Honorable Gus Bogina, Sr.

April 3, 1986

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The exact fiscal impact will result in a saving of staff time and the recovery of the related expenses. For example, the three professional staff have given an estimated total of 12 workshops/institutes throughout the State "free" of charge to the provider. The cost to the Board is an estimated \$3,600 (average cost \$300, travel and expenses). This figure does not include Board participation in similar workshops. The cost to the Board for Board members would be higher because in addition to the quarterly allowance, they receive \$35 per diem.

The estimated saving for the Board of Nursing could be conservatively placed at \$5,000-\$6,000 per year. Any "profit" made by the workshop/institute would be retained in the fund to defray the cost of the next workshop. Passage of SB 737 will have a positive fiscal impact on the Board, especially in savings related to staff time.

The Bill is supported by the nursing community, Nurse Executives Region I, and the Kansas State Nurses' Association. The Board requests that the Bill be reported favorably for passage.

Thank you Mr. Chairman. I will be happy to answer any questions which you may have.

KANSAS STATE BOARD OF NURSING

Addendum:

SAMPLE: WORKSHOP/INSTITUTE BUDGET

NAME OF INSTITUTE/CONFERENCE: NURSING ISSUES

DATE OF ACTIVITY: November 8, 1986 TIME: 9am-3:30pm

LOCATION: Topeka

<u>CONSULTANT/INSTRUCTOR/STAFF</u>	<u>FEE</u>	<u>TRAVEL</u>
Instructor A (\$75 per hour)	\$ 75	\$ 70
Instructor B (\$75 per hour)	150	0
Instructor C (\$75 per hour)	150	250

<u>REVENUE:</u>	<u>ANTICIPATED</u>	<u>ACTUAL</u>
Registration Fees	200 @ \$50 = \$10,000	@ \$ =
Other	0	
Total	\$10,000	

EXPENDITURES:

Consultant/Instructor Fees and Expense	\$ 695	
Brochure Design	100	
Brochure Duplicating and Printing	2,500	(25,000 @ 10¢ ea.)
Brochure Labels	250	(25,000 @ .01¢ ea.)
Brochure Postage	1,625	(25,000 @ .065¢ ea.)
Folders	100	(200 @ 50¢ ea.)
Handouts	100	()
Audio/Visual Charges	300	(Rental 50/75 per hr)
Refreshments	800	(Coffee/Tea \$6 per gal.-40 cups per gal
Meals	200	(20-Speakers, staff/ guests)
Other	200	
Total	\$7,870	

REVENUE	<u>\$10,000</u>
EXPENDITURES	<u>*7,870</u>
BALANCE	<u>**2,130</u>

*NB/Overhead (rental) and staff time not included.

**Balance to be used to set up next workshop and/or to defray other expenses.



For Further Informatin Contact:

Terri Rosselot, R.N.
Executive Director
(913) 233-8638

Mr. Chairman and members of the Senate Ways and Means Committee, my name is Terri Rosselot and I am a registered nurse representing the Kansas State Nurses' Association. For the following reasons the Kansas State Nurses' Association would like to encourage your support of SB 737 which provides for setting up a Education Conference Fund for the Kansas Board of Nursing. Currently 20% of all revenues collected by the KSBN is credited to the General Fund, and this Education Conference Fund would be exempt from contributing 20% to the general fund.

1. Kansas was the 3rd state to mandate continuing education requirements for relicensure for registered nurses, in 1978. There are over 22,000 registered nurses living in Kansas which must obtain 15 hours of continuing education in nursing annually to maintain their license.

3. Mandatory Continuing Education has forced both rural and urban hospitals and other institutions employing nurses to provide appropriate continuing education programs, reimbursement and time off for attendance to maintain the licensure status of their nursing staff. For Kansas nurses this has been positive.

4. The Kansas Board of Nursing is responsible for policing and supporting the fullfillment of the continuing education requirements for Kansas nurses. There must be an adequate number of programs available to the less populated areas & quality programs on current and changing treatment modalities.

5. The Kansas Board of Nursing has statewide information available to it to assess the adequacy of continuing education programs and with the newly created Education Conference Fund KSBN could sponsor programs that KSBN is more adequately professionally prepared to offer. LMHT's and LPN's have mandatory continuing education requirements for relicensure that KSBN must police also.


KSNA supports the passage of SB 737.

S. Wain 4/3/86
11:00 A.M.
B 4-3-86



Kansas Association of Osteopathic Medicine

April 1, 1986

To: Members, Senate Ways and Means Committee
From:  Harold E. Riehm, Executive Director, Ks. Assn. of
Osteopathic Medicine
Subject: SB 747 - Hearings on April 3, 11:00 a.m.

On Thursday, April 3 (11:00 a.m.) you will hear SB 747, a Bill that would recycle funds paid by back by osteopathic physicians "buying out" their obligation to the State, back into an Osteopathic Scholarship Fund to fund other scholarships.

At the very same time our Annual State Convention kicks-off in Overland Park, at which I present the noon address.

Permit me, then, to state in absentia that KAOM strongly supports this Bill which provides the same treatment for paid-back funds as characterizes the M.D. scholarship program.

We also again reiterate that there is a difference in the M.D. and D.O. scholarship programs. Even if M.D. programs are cut back, as testified to by Dr. (Senator) Walker, there would still be substantial State support for M.D. education. We support retention of the osteopathic program at 10 new scholarships a year (as you have approved) as a means of providing aid to Kansas students seeking an osteopathic medical education.

Thank you for your consideration of these matters.

1325 TOPEKA BOULEVARD
TOPEKA, KANSAS 66612, (913) 234-5563

HAROLD E. RIEHM, EXECUTIVE DIRECTOR

S. W + M 4/3/86
11:00 A.M.
C 4-3-86