

Approved 5/6/87
Date

MINUTES OF THE Senate COMMITTEE ON Ways and Means

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

4:50 a.m./p.m. on April 1, 1987 in room 123-S of the Capitol.

All members were present except:
Senator Gaines on excused absence

Committee staff present:

Research Department: Robin Hunn, Ron Schweer, Gloria Timmer, Ray Hauke, Laura Howard
Revisor's Office: Norman Furse
Committee Office: Judy Bromich, Pam Parker

Conferees appearing before the committee:

Marlin Rein, Kansas University Medical Center
Jerry Slaughter, Kansas Medical Society
A. J. Yarmat, Kansas University Medical Center

SB 379 - Health care provider insurance availability act, persons in postgraduate training programs, liability of fund. Jerry Slaughter stated that the KMS supports SB 379. He noted that presently the private practicing physicians in the state are subsidizing the malpractice insurance for the residents at KUMC which the Society feels is an unfair situation and they hope at some point the contribution to the health care stabilization fund could be brought in line with what coverage should be on the open market.

Marlin Rein briefly reviewed SB 379. Mr. Rein expressed concern regarding new language in lines 135, 136, 137 and 138. He noted the purpose for that language can be found on page six on lines 218 through 221. Mr. Rein explained that KUMC has residents who reside in Missouri. KUMC uses hospitals in the Missouri side for training programs. This particular reference deals with inactives which are people who have left the state. In their circumstance they could have a resident who lives across the line who went through the KUMC program, rotated to a Missouri hospital, completed training, left the state and two years later a claim is filed. This individual is without coverage. He stated that he was asking that the new language in lines 135 through 138 on page four would grant residency status for residents while in the KUMC program. In answer to a question from Senator Feleciano, Mr. Rein stated that the liability to which the fund would be exposed with this amendment would be "practically nil".

Mr. Rein called attention to a more substantive issue concerning language on page seven. He suggested striking the Section 2(c)(12), provision which requires Finance Council approval before a claim can be paid for or settled would be in the best interest of the state in the long term.

Following further discussion, Senator Werts moved, Senator Doyen seconded, recommending SB 379 favorably. The motion carried on a roll call vote.

SB 385 - Authorizing construction of a second multilevel parking facility at University of Kansas Medical Center.

Mr. Rein reviewed SB 385. Mr. Rein noted that this project was reviewed and subsequently approved by the Joint Committee on State Building Construction. Following discussion, Senator Talkington moved, Senator Harder seconded, recommending SB 385 favorably for passage. The motion carried on a roll call vote.

SB 389 - Medical scholarship agreement obligations.

A. J. Yarmat distributed and reviewed a letter to Norman Furse, dated February 12, 1987, regarding proposed amendments to the Kansas Medical Scholarship Act. (Attachment 1) Following discussion, action regarding SB 389 was deferred.

CONTINUATION SHEET

MINUTES OF THE Senate COMMITTEE ON Ways and Means,
room 123-S, Statehouse, at 4:50 ~~a~~m./p.m. on April 1, 1987.

SB 390 - Authorizing transfers of moneys from the hospital revenue fund of the university of Kansas medical center to the University of Kansas Hospital Fund.

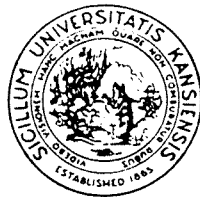
Mr. Rein reviewed SB 390 and briefly outlined the rationale for the bill. He stated that they are seeking some kind of mechanism which would move a portion of receipts on an annual basis from hospital earnings to be set aside for upgrading of the physical plant and replacement of major equipment items. Any expenditures would be subject to specific legislative authorization. Following discussion, Senator Gannon moved, Senator Feleciano seconded, recommending SB 390 favorably for passage as amended. On a roll call vote, the motion carried.

SB 394 - Repayment of university of Kansas medical center animal facility to Pooled Money Investment Board.

Mr. Rein reviewed SB 394 and gave a brief background on the bill. Senator Feleciano made a conceptual motion to amend SB 394 to provide that funding for the start up costs for the Kansas lottery and Kansas racing commission be by loan from the Pooled Money Investment Board. Senator Talkington seconded the motion and it passed on a voice vote. Senator Feleciano moved, Senator Talkington seconded, to report SB 394, as amended, favorably for passage. The motion carried on a roll call vote.

Senator Doyen moved, Senator Talkington seconded, the introduction of bill draft 7RS 1403, an act concerning emergency medical services; authorizing emergency medical services council to approve certain training programs. The motion carried on a voice vote.

The Chairman adjourned the meeting at 7:30 p.m.



THE UNIVERSITY OF KANSAS

Office of the General Counsel
Strong Hall, Lawrence, Kansas 66045

February 12, 1987
(913) 864-3276

RECEIVED
DIRECTOR
CENTER FOR STUDENT AFFAIRS

Mr. Norman J. Furse
Revisor of Statutes Office
Capitol Building
Topeka, KS

Dear Norman:

Attached are proposed amendments to the Kansas Medical Scholarship Act, (K.S.A. 76-373 et seq.). Following is a brief explanation of what we hope to accomplish through the changes.

1. K.S.A. 76-374(a) -- This change would require that individuals both enter and complete a three-year primary care residency training program. We believe it was the intent of the Legislature that individuals receiving scholarships after December 31, 1985 at least complete a primary care residency. Nothing in the statute prohibits them from subsequently entering another residency program.

2. K.S.A. 76-375(a) -- There are two amendments. The first accomplishes the intent of H.B. 2141 that SRS physicians not be counted in determining whether an area is underserved. The amendment also would allow us to exclude the portion of time of individuals who contract with SRS to provide services. The second amendment allows the Chancellor to find that exceptional circumstances require an adjustment in the designation of a county or a portion of a county as underserved.

3. K.S.A. 76-375(b)(1) -- The amendment deletes the reference to the Secretary of Health and Environment and now refers to the Chancellor of the University. I believe it was an oversight that this was not changed last year.

4. K.S.A. 76-375(b)(2) -- This amendment would allow individuals who first received scholarships after December 31, 1985 to fulfill their service obligation in state institutions, in faculty positions in approved family practice residency programs, and at all medical clinics operated by professional corporations affiliated with the Medical Center.

5. K.S.A. 76-375(e) -- This amendment clarifies that when an individual enters a practice affiliation agreement, both locations must be within the state of Kansas.

6. K.S.A. 76-375(g) -- This amendment adds a member of the Kansas Hospital Association to the medical scholarship advisory committee.

ATTACHMENT 1

Mr. Norman J. Furse
February 12, 1987
Page 2

7. K.S.A. 76-376(a)(3) -- This amendment removes the ambiguity between K.S.A. 76-376(a)(3) and (a)(4) by providing that if an individual is required to practice in service commitment area I but instead practices in service commitment area II, that individual is not required to repay tuition fees. Further, if the Chancellor finds exceptional circumstances, the individual does not have to repay living expenses or tuition fees.

We would like these amendments to be effective upon publication in the Kansas Register. Please let me know as I can be of further assistance.

Sincerely,



Ann Victoria Thomas
General Counsel

AVT:bkm

Enclosure