

Approved _____

Date

4-6-88

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by Marvin L. Littlejohn at
Chairperson

1:00 /a.m./p.m. on March 28, 1988 in room 423-S of the Capitol.

All members were present except:

Committee staff present:

Bill Wolff, Research
Norman Furse, Revisor
Sue Hill, Committee Secretary

Conferees appearing before the committee:

Dr. Gary Hulett, Under Secretary/Department Health/Environment
Chip Wheelen, Kansas Psychiatric Society
Paul Klotz, Association of Community Mental Health Centers
Senator Parrish
Mary Ann Gabel, Board Behavioral Sciences
Jon Josserand, giving testimony for Vickie Thomas
Dub Rakestraw, Kansas Organization of Professional Psychologists
Dr. David H. Rodenheffer, Kansas Psychological Association
John Peterson, Ks. Association of Professional Psychologists

Chairman called meeting to order, noting there were minutes in need of approval. Rep. Amos made a motion to approve minutes of March 21, 22, 23 be approved as written, seconded by Rep. Cribbs, vote taken, motion carried.

Hearings began on SB 659.

Dr. Gary Hulett noted there would be written testimony made available to members. Dr. Schloesser had been detained, so Dr. Hulett will offer an explanation of SB 659.

Dr. Hulett explained rationale of SB 659. Over the last several years public sentiment has supported the change in this program from Crippled and Chronically Ill Children's Program, to a title that conveys a less negative image, i.e., Services for Children with Special Health Care Needs. He answered questions.

Hearings closed on SB 659.

Hearings began on SB 469.

Chip Wheelen, Kansas Psychiatric Society, (Attachment No. 1), requests this committee amend SB 469 to clarify what was the original intent, i.e., to allow registered masters level psychologists (RMLPs) to work under the direction of a psychiatrist. This concern arises in response to an Attorney General's opinion 87-184 which concludes psychiatrists/social workers may not supervise the work of RMLPs. We believe, he said, it is important that diagnosis/treatment of mental illness and psychological disorders involve the expertise of a licensee who has more extensive academic training and clinical experience. He noted their Association is aware of an amendment that would be offered to Grandfather in a clause to waive educational supervision requirements if the applicant has been employed for 10 years or more as a psychologist by an Institution within the Department of Social Rehabilitation Services. He noted they have no problem with this amendment proposed. (Senator Parrish will offer this amendment.)

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 423-S Statehouse, at 1:00 a/m./p.m. on March 28, 1988

Hearings continued on SB 469: Paul Klotz, Association of Mental Health Centers of Kansas, (Attachment No.2) offered amendments to SB 469 necessitated by a recent Attorney General's Opinion, (87-184). He proposed to amend by including a definition of "direction" which specifies that direction is not supervision, but "oversight", similar to the way a Clinical Director is responsible for clinical services of his staff. The bill should name Physicians, Licensed Psychologists, Licensed Specialist Clinical Social Workers, REGISTERED Masters Level Psychologists with 5 years experience as those who can provide this oversight. He stated he feels the "grandfathering period should be extended until the end of 1988; reference in Section 2, should be changed to Social Rehabilitation Services that refers to recognition by Professional Standards Committee of Association for grandfathering purposes; insert a confidentiality section so the exchange of information between Registered Masters Level Psychologists should supervise new graduates; and they also support amendment to include an individual who has worked for a state institution for 15 years as a psychologist but was left out of law last year.

Senator Parrish offered an amendment on SB 469 that speaks to a specific problem of a psychologist who has been employed at Youth Center of Topeka for 30 years. This person will be terminated from the discipline unless we amend language to grandfather him in the bill. She answered questions, i.e., no, I am not aware of others in this same situation, although there may be some. The amendment was drawn very narrowly so as to not accept persons who aren't qualified.

Mr. Paul Klotz finished his comments after Senator Parrish completed her amendment proposal.

Mr. Klotz stated, they are in agreement with the proposal by Senator Parrish. He answered questions, i.e., we wanted to put in the law what we are practicing. Mr. Dwight Young also answered questions.

Mary Ann Gabel at the invitation of Chair, explained the Rules and Regs that were promulgated over this past week-end by the Board of Behavioral Sciences. (Attachment No.3), indicated these Rules and Regulations. She explained the differences in "direction"; "supervision"; comprehensively detailed the entire Attachment. She answered questions, i.e., these Rules and Regs were offered at the request of Associations, they will be offered to Rules and Regs Committee for their approval or disapproval. Some were concerned that it appears the Board comes in at the 11th hour with new procedures.

Chair noted at this point, there had been great difficulty getting regulations developed with the psychologists; these regulations are an attempt for the Board to address the issue of "supervision", and "direction".

Mr. Furse inquired of definition of "supervision". Ms. Gabel noted it is defined in (k) of the Attachment. Mrs. Gabel answered more questions, i.e., yes, there are a number of psychologists that are employed by institutions that are also in private practice.

It was noted some committee members had concerns because these two groups are regulated the same in regard to "supervision". Some concerned the Attorney General's office had agreed to issue an opinion next year to assure a bill being worked to solve concerns in HB 3032.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 423-S Statehouse, at 1:00 /a.m./p.m. on March 28, 1988

Hearings continued on SB 469:

Ann Victoria Thomas, General Counsel/University of Kansas was unable to present her testimony in person, so it was given by Jon Josserand, note, (Attachment No. 4). The University of Kansas provides counseling services at Lawrence campus/Medical Center and employs Registered Masters Level Psychologists. (RMLPs). In order that medical doctors who are psychiatrists may supervise RMLPs, they propose to amend SB 469, i.e., by adding before the last sentence of Section 1, line 0036, "...and treatment of psychological disorders or persons licensed by the Board of Healing Arts to practice medicine/surgery and osteopathic medicine/surgery". This could continue the requirements that RMLPs be supervised by licensed professionals trained in the treatment of psychological disorders. No questions were asked.

Dub Rakestraw, Kansas Organization of Professional Psychologists, offered hand-out, (Attachment No.5). Their Organization supports amendments on SB 469 offered by Community Mental Health Centers of Kansas, and he highlighted those believed to be critical to Masters Level Psychologists currently working in the field, i.e., definition of "direction" should be in statutes; RMLPs should have a representative on the Board of Behavioral Sciences; inclusion of RMLPs with 5 years experience may provide "direction and provide supervision for students and new graduates; client confidentiality considerations. He stated, they realize these changes are opposed by the Licensed Psychologist, but pointed out, this is not an independent or private practice, but an Agency Practice with built in safe guards using a team approach. He urged for consideration of these amendments and favorable support of SB 469. He answered questions, i.e., I had not seen these Rules and Regulations until a few minutes ago, here in this meeting.

Mr. David Rodeheffer, Kansas Psychological Association, (Attachment No. 6), spoke to SB 469. Astronomical costs have been projected for implementing some aspects of statutes for RMLPs, especially the issue of "direction". With respect to specific changes proposed by the Senate Committee in HB 469, he expressed concern about expanding types of institutions in which R,LPs are allowed to practice unless it is clear these institutions have adequate procedures for screening and oversight of the work of staff. He noted their concern in language on lines 91-92 as being too broad and too vague to allow for sufficient screening of applicants. He noted this legislation introduces more confusion and ambiguity. He urged for time for this legislation to be implemented and work out problems that might arise with the Behavioral Science Board before making legislative changes that may cause problems. He answered questions, i.e., yes, he works at the Topeka State Hospital; yes, I think there are some patients who have not received adequate care; He stated he and others are working under supervision every week, and they feel that is needed, but overkill isn't necessary. He stated he felt the Boards regulations would provide some clarification, and he was of the opinion the legislation should be enacted and see what happens. More than likely we will be back next year, he said.

Chair asked other conferees their opinion in regard to whether or not SB 469 should be approved. Consensus was yes, it should be.

John Peterson, Ks. Association Professional Psychologists noted he had negotiated with Mr. Klotz, and Mr. Rakestraw for 3 years. Some issues won/some lost. He spoke of the Attorney General's opinion, and noted he nor Ks. Medical Society had any problem with correcting that interpretation of the law. He was in support of amendment of Kansas Medical Society.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 423-SStatehouse, at 1:00 a/m./p.m. on March 28, 1988

"Direction" is one of the key compromises; Regulations adopted in regard to "direction" say, (providing professional monitoring and over-sight of work performance.) He noted Board of Behavioral Sciences' agendas are set out 6 months in advance, and they often do meet on Fridays and Saturdays. Testimony offered in the Senate was anticipatory in nature in regard to the \$610,000; he finds no problem with the amendment offered by Senator Parrish; isn't familiar with amendments proposed by Mr. Klotz and Mental Health Centers; clearly being under "direction" is vital; concerns with grandfathering in relation to the Mental Health Centers; he stated he felt the Attorney General's opinion should be corrected; if problems continue, they could be addressed next year. He urged Committee to adopt the 2 amendments proposed by the Kansas Medical Society. He answered questions, i.e., Masters Level Psychologists are not licensed as independent practitioners.

Mr. Klotz answered questions at this point, i.e., yes, in some centers problems would be solved by these amendments. Some Centers have physicians, some do not. There are explanations of "oversight", and "monitoring", and we feel we need the law in the books, then all would be clarified.

Mr. Dwight Young answered questions, i.e., up until last year we had MLPs to meet the definition of the law because SRS gave them the authority to recognize certain people as Medicaid providers and that gave the incentive to Mental Health Centers to hire to meet those requirements; State Institutions didn't have that same requirement; we feel like this new provision will narrow where they can work, defines who they are; and the provision does not reduce "direction".

Mr. Chip Wheelen spoke for the Kansas Medical Society, noting they had discussed at great length the possibility of incorporating language, "a physician licensed to practice medicine and surgery and Board certified Psychiatry, but our concerns here are, rural Kansas where it may be difficult to hire and retain a Board Certified Psychiatrist. After long hours of discussion with officers of Kansas Psychiatric Society, it agreed that physicians licensed to practice medicine and surgery would be adequate, and he believes this is basically what the University of Kansas has requested in their proposed amendment this date. In response to an earlier question if SB 469 is to sit in committee, he would feel compelled to go to another committee and request introduction of a bill incorporating his amendment and send it directly to the Committee of the Whole. He would be compelled to do this in order to resolve the problem that has arisen because of the Attorney General's Opinion. He concluded saying the Kansas Medical Society endorses the position of the Kansas Psychiatric Society.

Hearings closed on SB 469.

Chair drew attention to SB 659.

Rep. Gatlin drew attention to an amendment (Attachment No. 7).

Chairman offered this Attachment to Department of Health and Environment.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 423-S Statehouse, at 1:00 a.m./p.m./ on March 28, 1988

Rep. Gatlin explained the balloon on SB 659. This will allow for a child with special health care needs to go across state borders to obtain such health care/treatments. Rep. Gatlin explained balloon amendment on SB 659. This will allow for a child with special health care needs to receive medical care outside the state of Kansas. Language provided at the bottom of Section 7, is identical to that for medicaid care. He cited a specific case of a child however language would embrace others with the same needs. He detailed the specific case of a child in his District. He noted numbers involved to receive this care would be minimal.

Chair invited Dr. Pat Schloesser to comment in regard to this amendment.

Dr. Schloesser noted she was sympathetic, but was taken by surprise, and had no idea of fiscal impact, and could perhaps review the language and return at another time and give a detailed evaluation of their Department. (H&E). She was in support of the concept of the amendment. She answered questions, i.e., there have been cases in the past where specialized care was needed, and it might be several states away from Kansas borders; yes, they have very detailed regulations when special approval for treatments of this kind is offered; perhaps each case would have to be evaluated on a case by case basis.

Dr. Schloesser offered hand-out, (Attachment No. 8) which indicates the position of Department of Health and Environment on SB 659, initiating the name change spoken to by Dr. Hulett earlier in meeting this date.

Hearings closed on SB 659.

Hearings closed on SB 469.

Chair drew attention to HB 2925. It had been passed out of this committee, sent to the House, withdrawn from the House Calendar, then re-referred back to this committee. What are the wishes of members in regard to HB 2925, Chairman asked.

Rep. Sader moved to pass HB 2925 favorably out of committee for further action on the House floor, seconded by Rep. Whiteman. Discussion ensued, question called for by Rep. Branson, vote taken, chair in doubt, show of hands indicated 12 in favor, motion passed.

Chairman thanked all members and staff for all their cooperation and hard work on bill action this date.

Meeting adjourned 2:50 p.m.

GUEST REGISTER

HOUSE

PUBLIC HEALTH AND WELFARE COMMITTEE

Date 3-28-58

NAME	ORGANIZATION	ADDRESS
G. Hulet	KDHE	TOPEKA
Richard Morrissey	KDAE	TOPEKA
Marilyn Bradt	KINH	Lawrence
KEITH R. LANDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS	TOPEKA
Paul M. Kintz	ASSOC. OF MATHS OF K.	TOPEKA
Dwight Young	" " " " "	5815 Broadway, Great Bend
E.W. (DUB) Rakesfraw	Professional Psychology, Ks Ks Organization of P	Topeka, KS
Chap Wheeler	Ks Medical Society	Topeka
Ken Baker	Ks Assn of Prof. Psychol	Topeka
John Peterson	Ks Assn of Prof Psychol	Topeka
Jan J	KU	Lawrence
Juanita Decker	School Psychologist	Topeka
E. Brent Hoyt	Ks Assn of School Psychologists	Topeka
John Decker	KDHE	Topeka
James Trust	SBS Youth Services	Topeka
Tom Bell	Ks Hosp. Assn.	Topeka
Doris R. Stunt	KDOA KLIC ONSUOSMAN	TOPEKA
Dick Hummel	KHCA	Topeka



Kansas Psychiatric Society

1259 Pembroke Lane
Topeka, KS 66604
Telephone: (913) 232-5985

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Shawnee Mission, KS 66204

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Past-President
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Topeka, KS 66601

Jo Ann Klemmer
Executive Secretary
1259 Pembroke Lane
Topeka, KS 66604
(913) 232-5985

March 28, 1988

TO: House Public Health and Welfare Committee
FROM: Kansas Psychiatric Society
SUBJECT: Senate Bill 469, As Amended by Senate Committee

The Kansas Psychiatric Society respectfully requests that the Committee amend SB 469 to clarify what we believe was original legislative intent, that is, to allow registered masters level psychologists (RMLPs) to work under the direction of a psychiatrist. Our concern arises in response to Attorney General's opinion 87-184 which concludes that psychiatrists and social workers may not supervise the work of RMLPs.

The Attorney General's opinion is based on the assumption that psychological disorders do not fall within the realm of mental illness. We respectfully submit that while the Attorney General's opinion may be an accurate analysis of the letter of the law, it is not a correct reflection of legislative intent.

We did not present this request to the Senate Committee because we were informed that a separate bill would be introduced to correct this problem. When that bill was finally introduced, rather than clarify legislative intent, it repealed all direction and supervision requirements. We had to oppose that bill because we believe it is extremely important that the diagnosis and treatment of mental illness and psychological disorders involve the expertise of a licensee who has more extensive academic training and clinical experience.

In that context, we must also request that the Committee proceed with caution in considering any other proposed amendments to current law. Please keep in mind that any erosion of the quality of health care provided to mental illness patients could have an extremely adverse effect.

Thank you for considering our concerns.

CW:nb

altm #1
PHOK
3-28-88
1:00 pm

SENATE BILL No. 469

By Senator Karr

12-28

0017 AN ACT concerning registered masters level psychologists;
0018 amending K.S.A. 1987 Supp. 74-5362, ~~74-5363 and 74-5368~~
0019 and ~~74-5363~~ and repealing the existing sections.

0020 *Be it enacted by the Legislature of the State of Kansas:*

0021 Section 1. K.S.A. 1987 Supp. 74-5362 is hereby amended to
0022 read as follows: 74-5362. Any person who is registered under the
0023 provisions of this act as a registered masters level psychologist
0024 shall have the right to practice only in a licensed community
0025 mental health center or one of its contracted affiliates, in any
0026 federal, state, county or municipal agency, or other political
0027 subdivision, ~~or~~ in a duly chartered educational institution ~~or in a~~
0028 ~~not for profit corporation;~~ in a medical care facility licensed
0029 under K.S.A. 65-425 et seq. and amendments thereto or in a
0030 psychiatric hospital licensed under K.S.A. 75-3307b and amend-
0031 ments thereto insofar as such practice is part of the duties of such
0032 person's paid position and is performed solely on behalf of the
0033 employer, so long as such practice is under the direction of a
0034 person licensed to provide mental health services as an inde-
0035 pendent practitioner and whose licensure allows for the diag-
0036 nosis and treatment of psychological disorders. Such registered
0037 person may use the title registered masters level psychologist
0038 and the abbreviation RMLP.

(practice medicine and surgery or a person licensed to

0039 Sec. 2. K.S.A. 1987 Supp. 74-5363 is hereby amended to read
0040 as follows: 74-5363. (a) Any person who desires to be registered
0041 under this act shall apply to the board in writing, on forms
0042 prepared and furnished by the board. Each application shall
0043 contain appropriate documentation of the particular qualifica-
0044 tions required by the board and shall be accompanied by the

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DEC 22 1987

BSRB



STATE OF KANSAS

OFFICE OF THE ATTORNEY GENERAL

2ND FLOOR, KANSAS JUDICIAL CENTER, TOPEKA 66612

ROBERT T. STEPHAN
ATTORNEY GENERAL

December 21, 1987

MAIN PHONE (913) 296-2215
CONSUMER PROTECTION 296-3751
ANTITRUST 296-5299

ATTORNEY GENERAL OPINION NO. 87- 184

Ms. Mary Ann Gabel
Executive Secretary
Behavioral Sciences Regulatory Board
Landon State Office Building
900 Jackson - Room 855
Topeka, Kansas 66612

Re: State Boards, Commissions and Authorities --
Certification of Psychologists -- Registration of
Masters Level Psychologists; Limitation of Practice

Synopsis: Persons who may supervise registered masters level
psychologists (RMLPs) must meet two
requirements: (1) They must be licensed to
provide mental health services and (2) their
licensure must allow them to diagnose and treat
psychological disorders. It is our opinion that
licensed psychologists meet these requirements,
but social workers and psychiatrists do not. Cited
herein: K.S.A. 65-2802; 65-2803; 65-2869; 65-2872;
K.S.A. 1986 Supp. 74-5302; 74-5310; K.S.A.
74-5311; 74-5340; 74-5344, as amended by L. 1987,
ch. 306, §12; 75-5347; K.S.A. 1986 Supp.
75-5353; K.A.R. 102-1-1; K.A.R. 1986 Supp.
102-1-12; K.A.R. 102-2-1a; K.A.R. 102-2-8, as
amended May 1, 1987.

*

*

*

Dear Ms. Gabel:



Association of Community

Mental Health Centers of Kansas

835 S.W. Topeka Ave., Suite B/Topeka, Kansas 66612/913 234-4773

Paul M. Klotz, Executive Director

Testimony on S.B. 469

House Public Health and Welfare Committee

March 22, 1988

The Association is seeking to amend current law regarding Registered Master's Level Psychologists. Therefore we are before you today to address S.B. 469. We request certain amendments that have been necessitated by a recent Attorney General Opinion (87-184). These amendments are urgently needed for the following reasons:

1. A definition of "Direction" must be included which specifies that direction is not supervision but "oversight" similar to the way that a Clinical Director is responsible for the clinical services of all staff.
2. The bill should name physicians, Licensed Psychologists, Licensed Specialist Clinical Social Workers, and Registered Masters Level Psychologists with 5 years experience as those who can provide this oversight. These are the professionals that are have always provided such direction in the various programs of the centers.

SB469

att #2
PH:W
3-28-88
100 pages

Dwight Young
President

Kermit George
President Elect

John Randolph
Vice President

Larry W. Nikkel
Past President

Paul Thomas
Treasurer

Steven J. Solomon
Secretary

Gene Jacks
Bd. Memb. at Large

3. We believe the "grandfathering" period should be extended until the end of 1988 because the Behavioral Sciences Regulatory Board may not have the rules and regulations in place until the summer of this year which makes it impossible to recruit masters level psychologists with any certainty that they will qualify for registration.

4. The current law refers to recognition by the Professional Standards Committee of the Association for grandfathering purposes. This has been challenged as potentially unconstitutional by Rita Noll of the Attorney General's office (the same attorney who wrote the problematic opinion referred to above), so the reference in this section should be changed to "Social and Rehabilitation Services" (SRS).

5. A confidentiality section typically in this type of bill was not included last year and should be added now so that the exchange of information between the Registered Masters Level Psychologist and the consumer will be handled the same as other mental health providers.

6. The current bill has a provision in it for supervising new graduates. Because of the restrictive nature of the recent Attorney General's opinion, Licensed Psychologists and Registered Masters Level Psychologists should be specified as professionals that can provide this supervision which is consistent with our intent when we introduced the law last year.

7. Finally, we have discovered one individual who has worked for a state institution for some fifteen years as a psychologist, but because he had a bachelors degree was left out of the law last year. We are supporting specific language in an amendment to include this individual.

Thank you.

Contact: Paul M. Klotz
Executive Director
(913) 234-4773

SENATE BILL No. 469

By Senator Karr

12-28

0017 AN ACT concerning registered masters level psychologists;
0018 amending K.S.A. 1987 Supp. 74-5362, 74-5363 and 74-5368
0019 and 74-5363 and repealing the existing sections.

[, 74-5363, 74-5367, 74-5368 and 74-5371

0020 *Be it enacted by the Legislature of the State of Kansas:*

0021 Section 1. K.S.A. 1987 Supp. 74-5362 is hereby amended to
0022 read as follows: 74-5362. Any person who is registered under the
0023 provisions of this act as a registered masters level psychologist
0024 shall have the right to practice only in a licensed community
0025 mental health center or one of its contracted affiliates, in any
0026 federal, state, county or municipal agency, or other political
0027 subdivision, ~~or in a duly chartered educational institution or in a~~
0028 ~~not-for-profit corporation, in a medical care facility licensed~~
0029 ~~under K.S.A. 65-425 et seq. and amendments thereto or in a~~
0030 ~~psychiatric hospital licensed under K.S.A. 75-3307b and amend-~~
0031 ~~ments thereto~~ insofar as such practice is part of the duties of such
0032 person's paid position and is performed solely on behalf of the
0033 employer, so long as such practice is under the direction of a
0034 person licensed to provide mental health services as an inde-
0035 pendent practitioner and whose licensure allows for the diag-
0036 nosis and treatment of psychological disorders. Such registered
0037 person may use the title registered masters level psychologist
0038 and the abbreviation RMLP.

practice medicine and surgery, a licensed psychologist, a
licensed specialist clinical social worker or a registered
masters level psychologist with five years' experience

0039 Sec. 2. K.S.A. 1987 Supp. 74-5363 is hereby amended to read
0040 as follows: 74-5363. (a) Any person who desires to be registered
0041 under this act shall apply to the board in writing, on forms
0042 prepared and furnished by the board. Each application shall
0043 contain appropriate documentation of the particular qualifica-
0044 tions required by the board and shall be accompanied by the

As used in this section, "direction" means accepting respon-
sibility for the clinical services of the registered masters
level psychologist with or without direct supervision depend-
ing on the policies of the employing agency.

0045 required fee.

0046 (b) The board shall register as a registered masters level
0047 psychologist any applicant for registration who pays the fee
0048 prescribed by the board under K.S.A. 1987 Supp. 74-5365 and
0049 amendments thereto, which shall not be refunded, who has
0050 satisfied the board as to such applicant's training and who com-
0051 plies with the provisions of this subsection (b). An applicant for
0052 registration also shall submit evidence verified under oath and
0053 satisfactory to the board that such applicant: (1) Is at least 21
0054 years of age; (2) has received at least a master's degree in clinical
0055 psychology based on a program of studies in psychology from an
0056 educational institution having a graduate program in psychology
0057 consistent with state universities of Kansas or has received a
0058 master's degree in psychology and during such graduate program
0059 completed a minimum of 12 semester hours or its equivalent in
0060 psychological foundation courses such as, but not limited to,
0061 philosophy of psychology, psychology of perception, learning
0062 theory, history of psychology, motivation, and statistics and 24
0063 semester hours or its equivalent in professional core courses
0064 such as, but not limited to, two courses in psychological testing,
0065 psychopathology, two courses in psychotherapy, personality
0066 theories, developmental psychology, research methods, social
0067 psychology; (3) has completed 750 clock hours of academically
0068 supervised practicum or 1,500 clock hours of postgraduate su-
0069 pervised work experience; and (4) is in the employ of a Kansas
0070 licensed community mental health center, or one of its con-
0071 tracted affiliates, or a federal, state, county or municipal agency,
0072 or other political subdivision, or a duly chartered educational
0073 institution ~~or a not for profit corporation, a medical care facility~~
0074 ~~licensed under K.S.A 65-425 et seq. and amendments thereto or a~~
0075 ~~psychiatric hospital licensed under K.S.A. 75-3307b and amend-~~
0076 ~~ments thereto~~ and whose practice is a part of the duties of such
0077 applicant's paid position and is performed solely on behalf of the
0078 employer.

0079 (c) Until July 1, 1988 October 1, 1988, the board shall waive
0080 the educational or degree and supervision requirements, or all
0081 such requirements, under subsection (b) so long as the person

graduate

supervised by a licensed psychologist or a registered
masters level psychologist

December 31

0083 applying for registration as a registered masters level psycholo-
0084 gist has a graduate degree and either (1) has been employed for
0085 at least three years as a psychologist by a licensed community
0086 mental health center, or one of its contracted affiliates, or a
0087 federal, state, county or municipal agency, or other political
0088 subdivision, ~~or~~ or a duly chartered educational institution ~~or a~~
0089 ~~not for profit corporation, or a medical care facility licensed~~
0090 ~~under K.S.A. 65-425 et seq. and amendments thereto or a psy-~~
0091 ~~chiatric hospital licensed under K.S.A. 75-3307b and amend-~~

0092 ~~ments thereto; or (2) as of July 1, 1987, was employed by a state~~
0093 ~~agency [in this state] as a psychologist; or was recognized as a~~
0094 ~~masters level psychologist by the [professional standards com-~~
0095 ~~mittee of the association of community mental health centers of~~
0096 ~~Kansas] or was employed by a licensed community mental health~~
0097 ~~center or one of its contracted affiliates as a psychologist.~~

0098 Sec. 3. K.S.A. 1987 Supp. 74-5368 is hereby amended to read
0099 as follows: 74-5368. (a) The board shall establish a masters level
0100 psychologist registration committee consisting of three members
0101 appointed by the chairperson of the board.

0102 (b) All members of the committee shall be registered masters
0103 level psychologists or prior to January 1, 1988, persons qualified
0104 under this act to be registered as registered masters level psy-
0105 chologists. Each member of the committee shall be a citizen of
0106 the United States and resident of this state.

0107 (c) Each member of the committee shall serve for three years
0108 except that the terms on the committee first appointed shall be as
0109 follows: One member shall be appointed for a one-year term; one
0110 member shall be appointed for a two-year term and one member
0111 shall be appointed for a three-year term. The chairperson of the
0112 board shall designate the term for each member first appointed
0113 to the committee. No member of the committee shall be ap-
0114 pointed for more than two successive terms. Upon the expiration
0115 of a member's term on the committee, the chairperson shall
0116 appoint a qualified successor. Each member shall serve until a
0117 successor is appointed and qualified. Whenever a vacancy occurs
0118 in the membership of the committee prior to the expiration of a
term; the chairperson of the board shall appoint a qualified

December 31, 1988

by a state agency

department of social and rehabilitation services as qualified
to provide mental health services to medicaid recipients as a
masters level psychologist

(d) Upon application for registration as a registered
masters level psychologist made prior to January 1, 1989, the
board shall waive the educational, degree and supervision re-
quirements under subsection (b) and shall grant such registra-
tion if the applicant for registration at the time of applica-
tion has been employed for 10 years or more as a psychologist
by an institution within the department of social and rehab-
ilitation services, as defined under K.S.A. 76-12a18 or
76-12b01, and amendments to such sections.

0119 successor to fill the unexpired term. The chairperson of the
0120 board may remove any member of the committee for misconduct,
0121 incompetency or neglect of duty.

0122 (d) The committee shall organize annually at its first meeting
0123 subsequent to June 30 and shall select from its members a
0124 chairperson. Other meetings shall be held as the committee
0125 designates. Two members of the committee shall constitute a
0126 quorum for the transaction of business.

0127 (e) The committee shall receive all applications for registra-
0128 tion as a registered masters level psychologist; review the appli-
0129 cations for compliance with this act; and make their recommen-
0130 dations for acceptance, rejection or other actions to be taken by
0131 the board. The board shall accept and act on the committee's
0132 recommendations so long as the recommendations are in com-
0133 pliance with this act.

0134 (f) The board shall make support staff available to the com-
0135 mittee.

0136 (g) Members of the committee attending meetings of the
0137 committee authorized by the board shall be paid compensation,
0138 subsistence allowances, mileage and other expenses as provided
0139 in K.S.A. 75-3223 and amendments thereto.

0140 (h) *This section shall expire on July 1, 1989.*

0141 ~~New Sec. 6. *The confidential relations and communications*
0142 *between a registered masters level psychologist and such psy-*
0143 *chologist's client are placed on the same basis as provided by law*
0144 *for those between an attorney and an attorney's client.*~~

0145 Sec. 4. K.S.A. 1987 Supp. 74-5362, 74-5363 and 74-5368 ~~and~~
0146 ~~74-5363~~ are hereby repealed.

0147 Sec. 5. This act shall take effect and be in force from and
0148 after its publication in the Kansas register.

see attached for sections 3, 4 and 5

6

74-5363, 74-5367, 74-5368 and 74-5371

New Sec. 6. The confidential relations and communications between a registered masters level psychologist and such psychologist's client are placed on the same basis as provided by K.S.A. 1987 Supp. 65-5601 to 65-5605, inclusive, for those between a treatment facility and its patients.

Sec. 3. K.S.A. 1987 Supp. 74-5367 is hereby amended to read as follows: 74-5367. (a) The board may issue a temporary permit to practice as a registered masters level psychologist to any person who pays a fee prescribed by the board under this section, which shall not be refunded, and who: (1) Meets all the requirements for registration under this act as a registered masters level psychologist, but whose application for registration is pending; or (2) meets all the requirements for registration under this act as a registered masters level psychologist except the requirement of postgraduate supervised work experience or current employment, or both.

(b) A temporary permit issued by the board under clause (1) of subsection (a) shall expire at such time as final action on the application is completed, but all such temporary permits shall expire one year after the date of issuance of the permit. A temporary permit issued by the board under clause (2) of subsection (a) shall expire ~~six~~ 12 months after the date of issuance and may be renewed for one additional ~~six-month~~ twelve-month period if the board finds that satisfactory progress toward the supervised experience requirement is being met.

(c) The board shall fix by rules and regulations fees for application and renewal of each type of temporary permit under this section. The application and renewal fee shall not exceed \$100 except that the fee for application for and renewal of the two-year temporary permit under clause (1) of subsection (a) shall not exceed \$200.

(d) The application for a temporary permit may be denied or a temporary permit which has been issued may be suspended or revoked on the same grounds as provided for suspension or revocation of a registration under K.S.A. 1987 Supp. 74-5369.

Sec. 4. K.S.A. 1987 Supp. 74-5368 is hereby amended to read as follows: 74-5368. (a) The board shall establish a masters level psychologist registration committee consisting of three members appointed by the chairperson of the board.

(b) All members of the committee shall be registered masters level psychologists or prior to ~~January 1~~ December 31, 1988, persons qualified under this act to be registered as registered masters level psychologists. Each member of the committee shall be a citizen of the United States and resident of this state.

(c) Each member of the committee shall serve for three years except that the terms on the committee first appointed shall be as follows: One member shall be appointed for a one-year term, one member shall be appointed for a two-year term and one member shall be appointed for a three-year term. The chairperson of the board shall designate the term for each member first appointed to the committee. No member of the committee shall be ap-

pointed for more than two successive terms. Upon the expiration of a member's term on the committee, the chairperson shall appoint a qualified successor. Each member shall serve until a successor is appointed and qualified. Whenever a vacancy occurs in the membership of the committee prior to the expiration of a term, the chairperson of the board shall appoint a qualified successor to fill the unexpired term. The chairperson of the board may remove any member of the committee for misconduct, incompetency or neglect of duty.

(d) The committee shall organize annually at its first meeting subsequent to June 30 and shall select from its members a chairperson. Other meetings shall be held as the committee designates. Two members of the committee shall constitute a quorum for the transaction of business.

(e) The committee shall receive all applications for registration as a registered masters level psychologist; review the applications for compliance with this act; and make their recommendations for acceptance, rejection or other actions to be taken by the board. The board shall accept and act on the committee's recommendations so long as the recommendations are in compliance with this act.

(f) The board shall make support staff available to the committee.

(g) Members of the committee attending meetings of the committee authorized by the board shall be paid compensation, subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223 and amendments thereto.

Sec. 5. K.S.A. 1987 Supp. 74-5371 is hereby amended to read as follows: 74-5371. (a) On and after January 1, ~~1988~~ 1989, no person shall represent oneself as a registered masters level psychologist or use the abbreviation RMLP or use any word, letter, signs, figures or devices to indicate that such person using the same is a registered masters level psychologist unless such person holds a valid registration as a registered masters level psychologist.

(b) A violation of this section is a class C misdemeanor.

102-4-1. Definitions. (a) "RMLP" means a registered masters level psychologist.

(b) "Fifteen hundred hours of supervised post-graduate work experience" means work experience while employed as a RMLP and under the supervision of a psychologist as defined in K.A.R. 102-4-1(k). The 1500 work hours shall not commence until all requirements for the graduate degree have been completed.

(c) "Year of employment" means a minimum of 2,000 employment clock hours during a 12-month period.

(d) In the case of academic employment, "year" means the period normally associated with full-time employment at the employing institution.

(e) "Part-time employment experience credit" means supervised work experience of at least six consecutive months which shall be credited on a prorated basis.

~~(f)~~ (f) "Client" or "patient" means a person who is a direct recipient of psychological services. These services may be either therapeutic or diagnostic in nature.

(g) "Therapeutic relationship" means a relationship between a RMLP and client or patient that is initiated by mutual consent or pursuant to law. The assessment of a client, or expert consultation regarding a client, by a RMLP for a third party, for purposes of diagnosis and -- assessment alone shall not be considered a therapeutic relationship.

(h) "Termination of a therapeutic relationship or active therapeutic treatment" means termination by either the mutual consent of both parties, the

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completion of treatment, dismissal of the RMLP or the transfer of the client to another professional for active treatment with belief that continuation of treatment will occur.

(i) "Psychological assessment" means the use, in any manner, of established psychological tests, procedures, and techniques with the intent of diagnosing adjustment, functional, mental, vocational, or emotional problems or establishing treatment methods for persons having such problems.

(j) "Under the direction" means professional monitoring and oversight of the work performance.

(k) "Supervision" means professional guidance and direction from an individual licensed, certified, licensable, or certifiable in that person's state to engage in the practice of psychology, and who has or had, in full or in part, legal, administrative or professional authority over and responsibility for the professional functioning of the applicant. The supervisor shall provide a minimum of one hour of individual supervision for every 40 hours of professional experience of the supervisee. The supervisor shall be available to the supervisee at points of decision-making regarding diagnosis and treatment of clients or patients.

(l) "Consultant" means an individual who provides professional guidance, information, or advice, but who has no legal, administrative, or professional authority over or responsibility for the professional functioning of the applicant.

(m) "Practicum, internship or residency" means an organized program of

supervised practice of psychology which:

- (1) Consists of at least 750 clock hours of training;
- (2) accepts as students, interns or residents only applicants enrolled in a graduate program as defined in K.A.R. 102-4-3;
- (3) is directed by an individual who is certified, licensed, licensable, or certifiable to engage in the practice of psychology;
- (4) provides training and close supervision in a wide range of professional activity. Professional activity shall include diagnosis, remediation techniques, inter-disciplinary relationships, consultation and experience with a population of clients or patients presenting a diverse set of problems and backgrounds;
- (5) is taken after completion of graduate courses and in the area of emphasis or after completion of university pre-practicum or training requirements;
- (6) provides the student, intern or resident with a minimum of one hour of supervision for every 10 hours of training experience;
- (7) provides supervision by a certified, licensed, licensable or certifiable psychologists at least 25 percent of the supervised time and by a registered, certified, licensed, registerable, licensable or certifiable psychologists the remaining 75 percent of that supervised time;
- (8) stands as a distinct and organized program clearly recognizable within an institution or agency, as well as in pertinent public, official documents issued by the institution or agency, as a training program for

psychologists;

(9) identifies students, interns or residents as being in training and not as staff;

(10) has an identifiable registered, licensed, certified, licensable, or certifiable psychology training staff; and

(11) is an integrated, conceptually-organized entity, not an after-the-fact tabulation of experience.

(n) "Continuing education" means programs or activities that are designed to enhance the RMLP's level of knowledge, skill, and ability to practice psychology. These programs shall have content clearly related to enhancement of psychology practice, values and knowledge. Continuing education credits shall not be used as a substitute for basic professional education preparation as defined in K.A.R. 102-4-3.

(o) "Licensed community mental health center or affiliate" means an agency or its affiliate as defined by K.S.A. 75-3307(c).

(p) For purposes of K.S.A. 1987 Supp. 74-5363(c) "graduate degree" means a degree from the graduate school of a program of studies offered by an institution accrediting agency that is substantially equivalent to the accrediting agencies that accredit the universities of Kansas or which meets the requirements of a program of education as defined in K.A.R. 102-4-3.

(Authorized by and implementing K.S.A. 1987 Supp. 74-5370; effective,

T - _____ - _____, _____.)



THE UNIVERSITY OF KANSAS

Office of the General Counsel
Strong Hall, Lawrence, Kansas 66045
(913) 864-3276

Testimony before the House Public Health and Welfare Committee

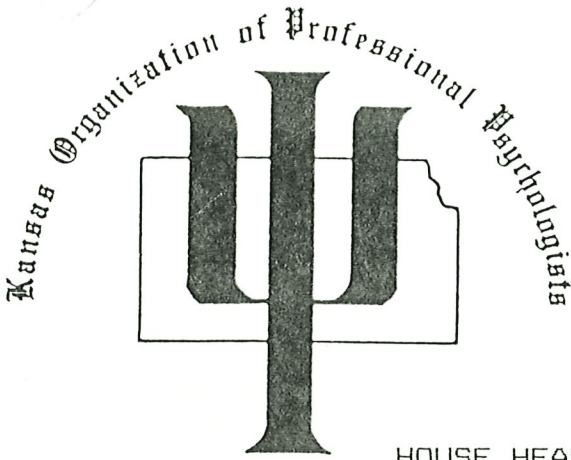
March 28, 1988

Ann Victoria Thomas
General Counsel
University of Kansas

In December of 1987 the Attorney General issued an opinion interpreting K.S.A. 74-5362. The Attorney General had been asked to interpret a provision of Senate Bill No. 288 enacted by the 1987 Legislature. That bill provided for the registration of masters level psychologists. The bill also established that such individuals could practice only under the direction of a person licensed to provide mental health services as an independent practitioner and whose licensure allows for the diagnosis and treatment of psychological orders. That language appears in current Senate Bill No. 469 at lines 0033 through 0036. The Attorney General interpreted the language to mean that registered masters level psychologists could be supervised by licensed psychologists, but that social workers and psychiatrists were not within the definition of individuals who could act as supervisors.

The University of Kansas provides counseling services both at its Lawrence campus and at the Medical Center and it employs registered masters level psychologists. These individuals are sometimes supervised by psychologists, but they may also be supervised by psychiatrists. In order that medical doctors who are psychiatrists may supervise registered masters level psychologists, we seek an amendment in Senate Bill No. 469. We ask that the following language be added before the last sentence of Section 1 of Senate Bill No. 469 (line 0036): ". . . and treatment of psychological disorders or persons licensed by the board of healing arts to practice medicine and surgery or osteopathic medicine and surgery." The addition of this language would continue the requirements that registered masters level psychologists be supervised by licensed professionals trained in the treatment of psychological disorders.

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AN ORGANIZATION DEDICATED TO
THE BETTERMENT OF PSYCHOLOGICAL
SERVICES IN THE STATE OF KANSAS

K O P P

PRESENTATION TO
HOUSE HEALTH AND WELFARE COMMITTEE
REGARDING
SENATE BILL 469

March 28, 1988

The Kansas Organization of Professional Psychologist (KOPP) which represents the interest of masters level psychologist support the amendments by the Association of Community Mental Health Centers of Kansas (ACMHCK) for S.B. 469. We believe they are appropriate and necessary to complete the efforts started last year with the passage of the Registered Masters Level Psychologist Act. The Attorney General Opinion No. 87-184 has forced us to reconsider the language in that act and offer amendments that we believe better define the original intent of the act.

While supporting all of the amendments offered by the ACMHCK, KOPP would like to highlight a few that we believe are critical to masters level psychologist currently working in the field.

1. The definition of direction should be in the statute. We prefer the wording offered by the ACMHCK because we believe while it may have the same meaning as the proposed rules and regulations, we believe it is more direct and less subject to interpretation.

It is important to note that the Registered Masters Level Psychologist does not have representation on the Behavioral Sciences Regulatory Board (BSRB) which is responsible for the rules and regulations. Therefore, such a critical definition should not be left up to some future Board to review and possibly revise, it should be in the statute.

2. The most critical amendments are the inclusion of the Registered Masters Level Psychologist with five

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(5) years experience as one who may provide "direction" and the naming of the RMLP to provide supervision for students or new graduates. This has been the practice in community mental health centers for twenty years. In order to achieve our goals of quality services for the consumer and professional integrity for the RMLP as a provider, the recognition of the experienced RMLP along with the other providers you name is very important.

3. Finally, the clients we serve should be given the same confidentiality considerations as those seen by other providers in community mental health centers. Therefore, we endorse the amendment regarding confidentiality noting that it does weaken the privilege but in a way we believe is appropriate.

We recognize that these changes are opposed by the Licensed Psychologist. We point out however that this is not independent or "private practice" but agency practice with the built in safe guards of the team approach. We are not asking for anything that has not been part of our practice before the passage of the registration act last year. We sincerely hope you will concur with this, pass the bill with these amendments, and allow us to "get on with our work" as we intended when we sought legal recognition last year.

Thank you.

E. W. "Dub" Rakestraw
2055 Clay
Topeka, Kansas 66604
(913) 234-5663



KANSAS PSYCHOLOGICAL ASSOCIATION

March 28, 1988

Mr. Chairman, members of the committee, I am Dr. David Rodeheffer. I am appearing before you today representing the Kansas Psychological Association, its Board of Governors and its president, Dr. Mary Cerney in regard to Senate Bill 469. Many of the issues involved in this legislation and the relevant statutes have been difficult and protracted ones for the legislature. The legislation that was passed just last year to deal with the Master Level Psychologist was the result of many years of at times heated debate. Understandably, the enactment of the RMLP statutes has caused anxiety and concern on the part of many of the affected practitioners and the organizations in which they work. Fears have been expressed that some masters level practitioners will be excluded from continuing their work. Astronomical costs have been projected for implementing some aspects of the statutes, especially related to the issue of "direction". Some have proposed vast and significant changes in a statute that was implemented less than 3 months ago. All of this before the Behavioral Science Regulatory Board has been able to draft the rules and regulations that would implement the statute.

We feel that while understandable, these fears and proposed changes are quite premature and probably unfounded and unnecessary. Before accusations are leveled and any major changes are made, the law should first be implemented to see what problems in fact arise. For example, we understand that the Board is proposing a definition of "direction" that should allow institutions enough

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KANSAS PSYCHOLOGICAL ASSOCIATION

latitude to be able to provide sufficient oversight of the RMLP's work without undue expense or hardship.

With respect to the specific changes proposed by the Senate Committee in this legislation, we would be concerned about expanding the types of institutions in which the RMLP is allowed to practice unless it is clear that these institutions have adequate procedures for the screening and oversight of their staff's work. We would express concerns about the changes in the language in lines 91 - 92 namely the wording, "employed in this state as a psychologist". We are concerned that this language is too broad and vague to allow for a sufficient screening of applicants. While the previous language indicates that the state agency had previously defined the person as a psychologist, there is nothing in the changed language to indicate under what auspices the person was defined or "employed . . . as a psychologist". As written, as long as someone had documentation that some person or organization in this state, no matter what their credentials, had employed them as a "psychologist", they could be grandfathered in as a RMLP.

In sum, we believe that at this time, this is needless legislation and probably introduces even more confusion and ambiguity than what was present before. We would urge you to give this legislation time to be implemented and to have any problems that do arise worked out with the Behavioral Science Board, before making any legislative changes that may only serve to further hamper the statutes' implementation.

Mr. Chairman, members of the committee, on behalf of the Kansas Psychological Association, thank you for your consideration of my testimony. I would be happy to answer any questions at this time or you can contact me through our association's central office (913-267-7435).

SENATE BILL No. 659

By Committee on Public Health and Welfare

2-16

0016 AN ACT relating to the secretary of health and environment;
0017 concerning the services for children with special health care
0018 needs program; amending K.S.A. 65-5a01, 65-5a05, 65-5a08,
0019 65-5a10, 65-5a11, 65-5a12, 65-5a13, 65-5a14, 65-5a16, 75-5643
0020 and 75-5644 and repealing the existing sections.

0021 *Be it enacted by the Legislature of the State of Kansas:*

0022 Section 1. K.S.A. 65-5a01 is hereby amended to read as fol-
0023 lows: 65-5a01. As used in this act: (a) ~~“Crippled or chronically ill~~
0024 ~~child”~~ “A child with special health care needs” means a person
0025 under 21 years of age who has an organic disease, defect or
0026 condition which may hinder the achievement of normal physical
0027 growth and development.

0028 (b) ~~“Crippled and chronically ill children’s program”~~ “Ser-
0029 vices for children with special health care needs” means the
0030 program administered by the secretary of health and environ-
0031 ment pursuant to article 5a of chapter 65 of Kansas Statutes
0032 Annotated and acts amendatory thereof or supplemental thereto.

0033 (c) “Physician” means any person licensed by the state board
0034 of healing arts to practice medicine and surgery.

0035 (d) “Special health services” means services for children
0036 with special health care needs.

0037 Sec. 2. K.S.A. 65-5a05 is hereby amended to read as follows:
0038 65-5a05. Each of the hospitals or health facilities designated by
0039 the secretary of health and environment to provide medical and
0040 surgical services for ~~crippled and chronically ill~~ children with
0041 special health care needs may collect a basic fee, not to exceed
0042 the reasonable costs of such services as approved by the secre-
0043 tary, for each patient provided with services. Physicians and
0044 other specialists may collect for services rendered to any such

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0119 child with special health care needs.

0120 The secretary shall establish uniform standards of financial
 0121 eligibility for treatment services under the ~~crippled and chroni-~~
 0122 ~~cally ill children's program services for children with special~~
 0123 *health care needs*, including a uniform formula for shared ex-
 0124 penses or for repayment of services. All repayment shall be used
 0125 in support of the ~~crippled and chronically ill children's program~~
 0126 *services for children with special health care needs*.

0127 Sec. 7. K.S.A. 65-5a13 is hereby amended to read as follows:
 0128 65-5a13. If the secretary of health and environment or a desig-
 0129 nated agent of the secretary finds that a child or a parent or
 0130 guardian of a child is a resident of the state of Kansas and the
 0131 secretary of health and environment or the designated agent
 0132 verifies that the child is a ~~crippled or chronically ill child with~~
 0133 *special health care needs* and that the parent or parents, guardian
 0134 or other person legally chargeable with the support of the ~~crip-~~
 0135 ~~pled or chronically ill child with special health care needs~~ is
 0136 financially unable to pay, in whole or in part, the expenses of the
 0137 care, treatment or assistance necessary for such child, the secre-
 0138 tary of health and environment or designated agent of the secre-
 0139 tary shall make a record of the facts and certify the child eligible
 0140 for care, treatment and assistance by the secretary.

0141 At the time of the determination, the parents, guardian or other
 0142 persons and the secretary shall enter into an agreement which
 0143 shall specify that portion, if any, of the costs for care, treatment or
 0144 assistance to be paid by the parents, guardian or other persons
 0145 and that portion of the costs, within the limits of funds appro-
 0146 priated therefor, to be paid by the secretary. The terms of the
 0147 agreement shall be reviewed whenever a change in financial or
 0148 medical circumstances occurs, but in any event shall be re-
 0149 viewed at least annually.

0150 Sec. 8. K.S.A. 65-5a14 is hereby amended to read as follows:
 0151 65-5a14. The secretary of health and environment shall adopt
 0152 rules and regulations establishing a system of priorities for pro-
 0153 viding services, devices, equipment and supplies to children
 0154 under the provisions of this act which will give consideration to
 0155 the medical needs of the patient and the financial ability of the

A child with special health care needs who is receiving medical care outside of Kansas and whose health would be endangered by the postponement of medical care until return to the state or by travel to return to the state may be determined eligible for special health services if all other eligibility factors are met. A child with special health care needs who has received medical care outside of Kansas and who has returned to this state but whose health would be endangered without aftercare which is available only outside of Kansas or, if available in Kansas, is available at a location in Kansas which is a greater distance from the residence of such person than the location outside the state, may be determined eligible to receive special health services outside of Kansas if such child is otherwise eligible to receive special health services.

STATE OF KANSAS



DEPARTMENT OF HEALTH AND ENVIRONMENT

Forbes Field
Topeka, Kansas 66620-0001
Phone (913) 296-1500

Mike Hayden, Governor

Stanley C. Grant, Ph.D., Secretary
Gary K. Hulett, Ph.D., Under Secretary

Testimony Presented to

House Public Health and Welfare Committee

by

The Kansas Department of Health and Environment

S.B. 659

The Crippled and Chronically Ill Children's Program (CCICP) promotes the functional skills of young persons in Kansas who have a handicap, disability or chronic disease by providing or supporting needed specialty health care. Diagnostic services are available, without regard to family income, to all Kansas youth under the age of twenty-one who are suspected of having a handicapping condition, or chronic disease. Ongoing treatment services are available for youth meeting financial and medical eligibility. Services include medical specialists, outpatient care, hospitalization, surgery, durable medical equipment and reimbursement for transportation to medical specialty care.

The current program originated from the Kansas Crippled Children's Commission which was created in 1931 (K.S.A. 1972 Supp. 74-3401 to 74-3409; and 65-5a01 to 65-5a16) and consisted of a five member governing board appointed by the Governor. The functions of the Commission were transferred to the Department of Health and Environment in 1977. In July, 1978, amendments to K.S.A. 65-5a01 transferred the determination of program eligibility from the courts to the Department of Health and Environment. In FY 1984 amendments to K.S.A. 65-5a01, 65-5a05, 65-5a08, 65-5a10, 65-5a11, 65-5a12, 65-5a13, 65-5a14, 65-5a16, 75-5643 and 75-5644, changed the title to Crippled and Chronically Ill Children's Program to designate the scope of services for handicapping conditions and chronic diseases.

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Over the last several years public sentiment has supported a change from Crippled and Chronically Ill Children's Program to a title which conveys a less negative image. Last year the title of the federal Crippled Children's Services was changed to Programs for Children with Special Health Care Needs. This change was the result of this same public sentiment. In response to the public concern, we are supporting a name change for the CCICP and we have elected to change the title from Crippled and Chronically Ill Children's Program to Services for Children with Special Health Care Needs.

Presented by:

Patricia Schloesser, MD
Director of Health

March 28, 1988