

Approved 4-8-88
Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by SENATOR ROY M. EHRLICH at
Chairperson

9:00 a.m./~~p.m.~~ on April 6, 1988 in room 526-S of the Capitol.

All members were present except:

Committee staff present:

Emalene Correll, Legislative Research
Bill Wolff, Legislative Research
Norman Furse, Revisors Office
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:

Written testimony on HB-3034 Lawrence T. Buening, Jr., General Counsel,
Board of Healing Arts

Written testimony on HB-3033, Lawrence T. Buening, Jr., General Counsel,
Board of Healing Arts

Chairman Ehrlich called the meeting to order and placed HB-2464 before the committee.

Senator Bond presented a balloon bill of HB-2464 and stated he would cover the amendments one page at a time. Attachment 1

Senator Bond moved to delete Section 2 (e) on page 1. Senator Mulich seconded the motion and the motion carried.

Senator Bond moved to delete all of Section 4, page 3. Senator Mulich seconded the motion and the motion carried.

Senator Bond made the motion to accept the new language proposed on line 0122. Senator Mulich seconded the motion and the motion carried.

Senator Bond moved to remove the comma between nutrition and education, line 0251. Senator Reilly seconded the motion.

Senator Morris proposed a substitute motion to add deletion of "general" line 0245 to Senator Bond's motion. Senator Bond seconded the motion and the motion carried.

Senator Bond made the motion to adopt language "nor to prevent any person from caring for the sick in accordance with tenets and practices of any church or religious denomination which teaches reliance upon spiritual means through prayer for healing", line 0305 following "nization." Senator Mulich seconded the motion and the motion carried.

Senator Bond moved to delete lines 0283 and 0284. Senator Reilly seconded the motion and the motion carried.

Senator Bond made the motion to pass out HB-2464 as amended favorable for passage. Senator Morris seconded the motion and the motion carried. Senator Bond will carry HB-2464.

House Bill 2777 was placed before the committee. Staff covered the various amendments suggested by James Bridgens, MD.

Senator Anderson made the motion to adopt the amendments 1) line 0048 change "coroner" to "law enforcement officer." 2) delete Section 2(e). Senator Bond seconded the motion and the motion carried.

Senator Anderson moved to pass out HB-2777 as amended favorable for

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE

room 526-S, Statehouse, at 9:00 a.m. ~~p.m.~~ on April 6, 1988.

passage. Senator Mulich seconded the motion and the motion carried. Senator Anderson will carry HB-2777.

House Bill 2717 was placed before the committee for consideration.

Senator Anderson moved to report HB-2717 adversely. Senator Morris seconded the motion and the motion carried.

House Bill 3034 was placed before the committee for consideration.

Written testimony by Lawrence T. Buening, Jr., General Counsel for the Board of Healing Arts was presented to committee members. Mr. Buening stated the board felt a need to modify K.S.A. 65-2811 in order to delete the requirement of passage of an examination in the basic sciences in order to engage in the first year of postgraduate training in this state. Attachment 2

Tuck Duncan requested SB-702 be amended into HB-3034. Senate Bill 702 would change the physical therapy advisory council to a council with terms of membership, members to be appointed by the Governor.

Senator Reilly moved to include the elements of SB-702 into HB-3034. Senator Mulich seconded the motion and the motion carried.

Senator Morris moved to pass out HB-3034 favorable as amended. Senator Vidricksen seconded the motion and the motion carried.

House Bill 3033 was placed before the committee for consideration.

Written testimony was presented by Lawrence T. Buening, Jr., General Counsel, Board of Healing Arts, stating that HB-3033 was submitted to provide the Board with a somewhat more flexible latitude in the granting of institutional licenses. Attachment 3

Senator Morris moved to pass out HB-3033 favorable for passage. Senator Vidricksen seconded the motion and the motion carried.

The minutes for March 28, 29 and 30 were presented to the committee for approval or correction.

Senator Bond moved to accept the minutes as presented. Senator Vidricksen seconded the motion and the motion carried.

The meeting adjourned at 10:45 a.m.

HOUSE BILL No. 2464

By Committee on Public Health and Welfare

2-23

0018 AN ACT providing for licensure of dietitians; providing for
0019 administration of the act by the secretary of health and envi-
0020 ronment; creating the advisory board on dietetics; prohibiting
0021 certain acts and providing penalties therefor.

0022 *Be it enacted by the Legislature of the State of Kansas:*

0023 Section 1. This act shall be known and may be cited as the
0024 dietitians licensing act.

0025 Sec. 2. For the purposes of this act:

0026 (a) "Secretary" means the secretary of health and environ-
0027 ment.

0028 (b) "Department" means the department of health and envi-
0029 ronment.

0030 (c) "Board" means the advisory board on dietitians.

0031 (d) "Degree" means a degree received from a college or
0032 university that was regionally accredited at the time the degree
0033 was confirmed.

0034 (e) (d) "Licensed dietitian" means a person licensed under
0035 this act.

0036 (f) (e) "Provisionally licensed dietitian" means a person pro-
0037 visionally licensed under this act.

0038 (g) (f) "Dietetics practice" means the integration and appli-
0039 cation of principles derived from the sciences of nutrition, bio-
0040 chemistry, food, physiology, management and behavioral and
0041 social sciences to achieve and maintain the health of people
0042 through the provision of nutrition care services.

0043 (h) "Nutrition care services" means:

0044 (1) Assessing the nutritional needs of individuals and groups
0045 and determining resources and constraints in the practice setting
0046 clients;

0047 (2) establishing priorities, goals and objectives that meet
0048 nutritional needs and are consistent with available resources and
0049 constraints;

0050 (3) providing nutritional counseling in health and disease;

0051 (4) developing, implementing and managing nutrition care
0052 systems; and

0053 (5) evaluating, making changes in and maintaining appro-
0054 priate standards of quality in food and nutrition care services.

0055 (i) "Nutritional assessment" means the evaluation of the nu-
0056 tritional needs of individuals and groups based upon appropriate
0057 biochemical anthropometric, physical and dietary data to deter-
0058 mine nutrient needs and recommend appropriate nutritional
0059 intake including enteral and parenteral nutrition of clients; and

0060 (j) "Nutrition counseling" means (3) advising and assisting
0061 individuals or groups on appropriate nutritional intake by inte-
0062 grating information from the a nutritional assessment with infor-
0063 mation on food and other sources of nutrients and meal prepara-
0064 tion consistent with cultural background and social economic
0065 status.

0066 (g) "Nutritional assessment" means the evaluation of the
0067 nutritional needs of clients based upon appropriate biochemical,
0068 anthropometric, physical and dietary data to determine nutrient
0069 needs and recommend appropriate nutritional intake including
0070 enteral and parenteral nutrition.

0071 (k) (h) "Dietitian" means a person engaged in dietetics prac-
0072 tice.

0073 Sec. 3. (a) ~~Only~~ On and after July 1, 1989, only a person
0074 licensed or otherwise authorized to practice under this act shall
0075 practice dietetics. Only a person licensed under this act shall use
0076 the title "dietitian," "~~nutritionist,~~" or "licensed dietitian"; alone
0077 or in combination with other titles or use the letters L.D. or any
0078 other words or letters to indicate that the person using the same
0079 is a licensed dietitian.

0080 (b) Violation of this section is a class C misdemeanor.

0081 (c) In lieu of or in addition to prosecution under subsection
0082 (b), the secretary may bring an action to enjoin an alleged
0083 violation of this section.

0084 Sec. 4. ~~There is hereby created the advisory board on dieti-~~
0085 ~~tians which shall be advisory to the secretary with respect to the~~
0086 ~~initial administration of this act and with respect to the develop-~~
0087 ~~ment of the rules and regulations necessary to commence the~~
0088 ~~initial regulatory activities under this act. The board shall consist~~
0089 ~~of five members, three of whom shall be licensed dietitians~~
0090 ~~under this act and two of whom shall be members of the public~~
0091 ~~or, for members appointed to such board prior to July 1, 1989,~~
0092 ~~eligible for licensure under this act, one of whom shall be a~~
0093 ~~person licensed to practice medicine and surgery and one of~~
0094 ~~whom shall be a licensed pharmacist. All members shall be~~
0095 ~~appointed by the governor and shall serve terms of three years~~
0096 ~~except that for the initial appointment, two shall be appointed for~~
0097 ~~a term of three years, one for a term of two years and two for a~~
0098 ~~term of one year as specified by the governor which expire on the~~
0099 ~~expiration date of this section. Each dietitian appointed to the~~
0100 ~~board shall have been engaged in the practice of dietetics for not~~
0101 ~~less than five years. Members of the advisory board on dietitians~~
0102 ~~attending meetings of such board or attending a subcommittee~~
0103 ~~meeting thereof authorized by such board shall be paid amounts~~
0104 ~~provided in subsection (e) of K.S.A. 75-3223 and amendments~~
0105 ~~thereto.~~

0106 ~~This section shall expire on July 1, 1991.~~

0107 Sec. 5. The secretary may adopt rules and regulations nec-
0108 essary for the implementation of this act including the adoption
0109 of a code of ethics, setting standards to determine the qualifica-
0110 tions and fitness of applicants, setting standards for approval of
0111 educational programs under this act, setting procedures for the
0112 issuance and reissuance of licenses, for the revocation, suspen-
0113 sion or denial of licenses, for the receiving and processing of
0114 complaints and for the providing of examination for applicants.
0115 Standards established under this section to determine the quali-
0116 fications and fitness of applicants shall be established at a level
0117 adequate to assure the competent performance by licensed die-
0118 titians of dietetics practice, but not limited to, setting standards
0119 for approval of courses of study under this act, setting standards
0120 for approval of planned, continuous programs of dietetic experi-

0121 ence and establishing procedures for the examination of appli-
0122 cants. _____

0123 Sec. 6. The secretary may contract with investigative agen-
0124 cies, commissions or consultants to assist the secretary in ob-
0125 taining information about courses of study to be approved by the
0126 secretary under section 7.

0127 Sec. 6 7. (a) No person shall be granted a license as a dieti-
0128 tian unless such person has:

0129 (1) Filed an application and paid the required application
0130 fee;

0131 (2) received a baccalaureate or post-baccalaureate degree
0132 ~~from a college or university~~ with a major course of study in
0133 human nutrition, food and nutrition, dietetics or food service
0134 management approved by the secretary as meeting the standards
0135 for approval of educational programs such course of study under
0136 this act;

0137 (3) (A) completed a planned, continuous program of dietetic
0138 ~~experience~~ approved by the secretary of not less than 900 clock
0139 hours under the supervision of a licensed dietitian which is
0140 approved by the secretary; or (B) received a master's degree or a
0141 doctor's degree from a college or university in nutrition or a
0142 related course of study approved by the secretary as meeting the
0143 standards for approval of educational programs under this act;
0144 and

0145 (4) passed an examination approved by the secretary.

0146 (b) Licenses shall be issued for a period of two years.

0147 Sec. 7 8. (a) A ~~provisional permit~~ temporary license to prac-
0148 tice as a dietitian may be issued by the secretary upon the filing
0149 of an application, payment of the required application fee and
0150 submission of evidence of successful completion of the educa-
0151 tion requirements for licensure under this act.

0152 (b) The ~~provisional permit~~ temporary license shall expire
0153 ~~one year~~ six months from the date of issuance. The ~~provisional~~
0154 ~~permit~~ temporary license may be renewed for one period of not
0155 to exceed six months if the secretary determines that a ~~satisfac-~~
0156 ~~tory explanation~~ exists for the applicant's failure applicant has
0157 failed to become licensed within the original period and if the

No regulation shall be adopted which would limit the sale of food products or food supplements by health food stores or others.

→ from a regionally accredited college or university

→ practice

0158 applicant has paid the required renewal fee.

0159 ~~(e) A provisional permit shall permit the holder to practice~~
0160 ~~only under the supervision of a dietitian licensed in this state.~~

0161 Sec. 8 9. For one year beginning on the effective date of this
0162 ~~act~~ date the rules and regulations first adopted under this act
0163 become effective, the secretary shall waive the examination
0164 requirement and grant a license to a person who pays the
0165 renewal fee and who:

0166 (a) Meets the educational and ~~experieneed~~ experience re-
0167 quirements set forth by this act on the effective date of this ~~act~~
0168 July 1, 1989; or

0169 (b) meets the educational requirements and on the effective
0170 date of this act has been employed as a dietitian in dietetics
0171 practice for at least three of the five years immediately preceding
0172 the effective date of this ~~act~~ July 1, 1989.

0173 Sec. 9 10. Licenses may be renewed upon payment of the
0174 required renewal fee and successful completion of at least not
0175 more than 15 hours of continuing education during the licensure
0176 period as specified by the secretary by rules and regulations.

0177 Sec. ~~10~~ 11. The secretary may license, without examination,
0178 any person who is duly licensed in another state if the standards
0179 for licensure in such other state are not less than the standards for
0180 licensure under this act.

0181 Sec. 11. So long as the following persons do not hold them-
0182 selves out to the public to be a licensed dietitian, nutritionist, or
0183 use the abbreviation L.D., or any combination thereof, nothing
0184 in this act shall prohibit:

0185 (a) A student enrolled in an approved academic program in
0186 dietetics or nutrition, or both, from engaging in dietetics practice
0187 under the supervision of a person licensed under this act as part
0188 of such academic program;

0189 (b) a licensed health care professional from engaging in die-
0190 tetics practice if the licensing or regulatory statutes of such
0191 health care professional provide for or allow the giving of diete-
0192 tic or nutritional advice within the scope of professional practice
0193 of such health care professional; or

0194 (c) any person who holds a baccalaureate degree in home

0195 economics from engaging in dietetics practice insofar as the
0196 services and activities are within the scope of that person's
0197 education and training.

0198 Sec. 12. (a) The secretary may deny, refuse to renew, sus-
0199 pend or revoke a license where the licensee or applicant:

0200 (1) Has obtained a license by means of fraud, misrepresenta-
0201 tion or concealment of material facts;

0202 (2) has been guilty of unprofessional conduct as defined by
0203 rules and regulations adopted by the secretary;

0204 (3) has been convicted of a felony if the acts for which such
0205 person was convicted are found by the secretary to have a direct
0206 bearing on whether such person should be entrusted to serve the
0207 public in the capacity of a dietitian;

0208 (4) is mentally ill or physically disabled to an extent that
0209 impairs the individual's ability to engage in the practice of
0210 dietetics;

0211 (5) has used any advertisement or solicitation which is false,
0212 misleading or deceptive to the general public or persons to
0213 whom the advertisement or solicitation is primarily directed;

0214 (6) has violated any lawful order or rule and regulation of the
0215 secretary; or

0216 (7) has violated any provision of this act.

0217 (b) Such denial, refusal to renew, suspension or revocation of
0218 a license may be ordered by the secretary after notice and
0219 hearing on the matter in accordance with the provisions of the
0220 Kansas administrative procedure act.

0221 (c) Upon the end of the period of time established by the
0222 secretary for the revocation of a license, application may be made
0223 to the secretary for reinstatement. The secretary shall have
0224 discretion to accept or reject an application for reinstatement and
0225 may hold a hearing to consider such reinstatement. An applica-
0226 tion for reinstatement shall be accompanied by the application
0227 fee established by the secretary.

0228 Sec. 13. (a) Nothing in this act shall be construed to require
0229 any insurer or other entity regulated under chapter 40 of the
0230 Kansas Statutes Annotated or any other law of this state to
0231 provide coverage for or indemnify for the services provided by a

0232 person licensed under this act.

0233 (b) So long as the following persons do not hold themselves
 0234 out to the public to be licensed dietitians or use the abbreviation
 0235 L.D., or any combination thereof, nothing in this act shall be
 0236 construed to apply:

0237 (1) To any person licensed to practice the healing arts, a
 0238 licensed dentist, a licensed dental hygienist, a licensed profes-
 0239 sional nurse, a licensed practical nurse, a licensed psychologist,
 0240 a registered masters level psychologist, a licensed pharmacist or
 0241 an employee thereof, a physician's assistant, a registered profes-
 0242 sional counselor;

0243 (2) to any unlicensed employee of a licensed adult care home
 0244 or a licensed medical care facility as long as such person is
 0245 working under the general direction of a licensee in the healing
 0246 arts, nursing or a dietetic services supervisor as defined in
 0247 regulations adopted by the secretary of health and environment
 0248 or a consultant licensed under this act;

0249 (3) to any dietetic technician or dietetic assistant;

0250 (4) to any student enrolled in an approved academic program
 0251 in dietetics, home economics, nutrition, education or other like
 0252 curriculum, while engaged in such academic program;

0253 (5) to any person, including persons employed in health food
 0254 stores, furnishing general nutrition information as to the use of
 0255 food, food materials or dietary supplements, nor to prevent in
 0256 any way the free dissemination of information or of literature as
 0257 long as no individual engaged in such practices holds oneself out
 0258 as being licensed under this act;

prevent
 from

0259 (6) to any individual ~~who markets or distributes~~ food prod-
 0260 ucts, including dietary supplements, or to prevent any such
 0261 person from providing information to customers regarding the
 0262 use of such products;

prohibit
 from marketing or distributing

0263 (7) to prevent any employee of the state or a political sub-
 0264 division who is employed in nutrition-related programs from
 0265 engaging in activities included within the definition of dietetics
 0266 practice as a part of such person's employment;

0267 (8) to any person who performs the activities and services of a
 0268 licensed dietitian or nutrition educator as an employee of the

0269 state or a political subdivision, an elementary or secondary
 0270 school, an educational institution, a licensed institution, or a
 0271 not-for-profit organization;

0272 (9) to any person serving in the armed forces, the public
 0273 health service, the veterans administration or as an employee of
 0274 the federal government;

0275 (10) to any person who has a degree in home economics
 0276 insofar as the activities of such person are within the scope of
 0277 such person's education and training;

0278 (11) to any person who counsels or provides weight-control
 0279 services as a part of a franchised or recognized weight-control
 0280 program or a weight-control program that operates under the
 0281 general direction of a person licensed to practice the healing arts,
 0282 nursing or a person licensed under this act;

0283 ~~(12) to any person who holds at least a baccalaureate degree in~~
 0284 ~~nutrition or other related field;~~

0285 (13) to any person who is acting as a representative of a trade
 0286 association and who engages in one or more activities included
 0287 within the practice of dietetics as a representative of such asso-
 0288 ciation;

0289 (14) to a registered physical therapist who makes a dietetic or
 0290 nutritional assessment or gives dietetic or nutritional advice in
 0291 the normal practice of such person's profession or as otherwise
 0292 authorized by law;

0293 (15) to a dietitian licensed, registered or otherwise authorized
 0294 to practice dietetics in another state who is providing consulta-
 0295 tion in this state;

0296 (16) to any person conducting a teaching clinical demonstra-
 0297 tion which is carried out in an educational institution or an
 0298 affiliated clinical facility or health care agency;

0299 (17) to any person conducting classes or disseminating infor-
 0300 mation relating to nonmedical nutrition; or

0301 (18) to any person permitted to practice under K.S.A. 65-2872a
 0302 and amendments thereto.

0303 (c) Nothing in this act shall be construed to interfere with the
 0304 religious practices or observances of a bona fide religious orga-
 0305 nization.

nor to prevent any person from caring for the
 sick in accordance with tenets and practices
 of any church or religious denomination which
 teaches reliance upon apiritual means through
 prayer for healing

0306 Sec. ~~12~~ 14. The secretary shall fix by rules and regulations
0307 fees for applications for and renewal of licenses ~~and special~~
0308 ~~permits~~, examination fees and reinstatement fees under this act.
0309 Such fees shall be fixed in an amount to cover the costs of
0310 administering the provisions of this act. The secretary shall remit
0311 all moneys received from fees, charges or penalties under this act
0312 to the state treasurer at least monthly. Upon receipt of each such
0313 remittance the state treasurer shall deposit the entire amount
0314 thereof in the state treasury and credit the same to the state
0315 general fund.

0316 Sec. ~~13~~ 15. This act shall take effect and be in force from and
0317 after its publication in the statute book.

BOARD OF HEALING ARTS



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 JOHN P. WHITE, D.O., PITTSBURG

TO: Senate Committee on Public Health & Welfare
 FROM: Lawrence T. Buening, Jr., General Counsel
 Kansas State Board of Healing Arts
 DATE: April 6, 1988
 RE: HB-3034

At its meeting February 6, 1988, the State Board of Healing Arts considered four alternatives for the modification of K.S.A. 65-2811. The alternative chosen by the Board to pursue was one which would delete passage of an examination in the basic sciences in order to engage in the first year of postgraduate training in this state.

The present statutory language of K.S.A. 65-2811(a)(2) authorizes the Board to issue temporary permits for postgraduate training. To receive this type of temporary permit, the applicant must possess all qualifications for permanent licensure by examination (K.S.A. 65-2873), except passage of an examination covering the practice of the branch of the healing arts involved and, of course, the requisite postgraduate training. As previously explained in the presentation on HB-3033, FLEX I is one of the exams approved by the Board to be this basic science examination. Other acceptable examinations are both parts I and II of National Board of Medical Examiners (NBME) for medical doctors and both parts I and II of the National Board of Osteopathic Medical Examiners for osteopathic physicians.

In the past year, representatives of clinical residency programs in Kansas have advised the Board of the difficulty the present statutory language is causing. Although the University of Kansas Medical School continues to require passage of parts I and II of NBME as a condition of graduation from medical school, there is a national trend away from this requirement. Prominent medical schools such as John Hopkins and Case Western Reserve have deleted passage of any national examination as a requirement for graduation. As a result, many students from medical schools not requiring passage of such a national examination, are not taking these examinations until they commence their first year of internship or residency.

The Board's position was that graduates from medical school should be given a one-year period in which to pass the required basic science examination, but not be precluded from engaging in postgraduate training programs in this state during that one-year period. Some states do not require any state regulation whatsoever for individuals engaged in residency programs. New York state is an example.

Testimony Re: HB-3034
April 6, 1988

However, doing away with temporary permits for postgraduate training did not appear to be a practical alternative to the Board in light of current mandatory insurance requirements, nor did that alternative appear to be in the best interest of the citizens of the State. Furthermore, deleting the basic sciences examination as a requirement for all years of postgraduate training was not an alternative preferred by the Board.

The present language of HB-3034 would enable a person to receive a temporary permit for postgraduate training in the State of Kansas for one year without first having passed a basic science examination approved by the Board. After that one-year period, the individual would need to meet the requirements of K.S.A. 65-2811(a)(2) and receive a temporary permit under that section in order to continue with additional postgraduate training. In other words, the basic sciences examination would have to be passed during that first year. Alternatively, following the first year postgraduate training, a person could apply for and, if qualified, receive full licensure under the provisions of K.S.A. 65-2873. The proposed statutory amendments would not affect what an individual could do under a temporary permit. If a person holds a temporary permit, whether it be for one year under the proposed statutory additions or under K.S.A. 65-2811(a)(2), the individual would not be allowed to engage in any practice of the healing arts outside of the postgraduate training program. In other words, "moonlighting" which is not part of the program would remain prohibited. On the other hand, if the person qualifies for and receives permanent licensure under K.S.A. 65-2873 the individual could engage in "moonlighting" if the requisite mandatory professional liability insurance was maintained even if such activities were not part of the training program.

Thank you very much for the opportunity to appear before you. I understand that there may be persons testifying from the residency programs who may better provide you with information on technical aspects of those programs and the practical affects the present statutory language has on the programs. However, I am happy to answer any questions you might have.

LTB/sl



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 JOHN P. WHITE, D.O., PITTSBURG

TO: Senate Committee on Public Health & Welfare
 FROM: Lawrence T. Buening, Jr., General Counsel
 Kansas State Board of Healing Arts
 DATE: April 6, 1988
 RE: HB-3033

At its meeting February 6, 1988, the State Board of Healing Arts directed that a bill proposal be submitted which would provide the Board with somewhat more flexibility and latitude in the granting of Institutional Licenses.

During the past year, several meetings have taken place with SRS and Department of Corrections representatives. The Board has conducted inspection tours of both Winfield State Hospital and Kansas State Penitentiary. In both cases, the members of the inspection team indicated the facilities could benefit from additional physician personnel. However, both agencies expressed great difficulty in the ability to attract qualified applicants to their facilities. The Board has acknowledged this as a problem. The purpose in asking for the passage of HB-3033 is to lessen in some small degree the qualifications an individual must possess to receive an institutional license.

A large majority of physicians in state institutions are graduates of foreign medical schools. Currently, K.S.A. 1987 Supp. 65-2895 requires an applicant for an institutional license, if a foreign medical graduate, to pass the examination given by the Educational Commission for Foreign Medical Graduates and an examination in the basic and clinical sciences approved by the Board. This ECFMG exam is much more comprehensive in its testing of medical knowledge than the previous Visa Qualifying Examination which it replaced. The examination includes questions in both basic medical sciences and clinical sciences. The examination which has been approved by the Board as an acceptable basic and clinical science examination is FLEX I. FLEX I likewise is designed to evaluate knowledge of both basic and clinical science principles. Therefore, the sentence at lines 30-32 is being requested to be deleted so the Board would have the ability to accept either the examination given by ECFMG or FLEX I as the acceptable examination for a foreign medical graduate applying for an institutional license. It is felt this could increase the number of individuals who will qualify for such license and thereby have some positive effect on physician supply to state institutions. However, it is not felt this would result in the reduction of competency or qualifications of

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individuals who receive institutional licenses.

The two words at line 33 are being asked to be stricken for a purely technical reason in order to bring the statutory language more in conformity with the language of K.S.A. 65-2873, a portion of which is referred to in K.S.A. 65-2895. (See line 49 on page 2 of bill)

Thank you very much for the opportunity to appear before you today. I would be happy to respond to any questions you might have.

LTB/sl