

Approved 2-22-89 Ginger Barr, Chm.
Date

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS

The meeting was called to order by Representative Ginger Barr at
Chairperson

1:36 ~~am~~/p.m. on February 21, 1989 in room 526-S of the Capitol.

All members were present except: Representative Douville - Excused
Representative Peterson
Representative Roper - Excused
Representative Sprague - Excused

Committee staff present:

Mary Torrence, Revisor of Statutes' Office
Mary Galligan, Kansas Department of Legislative Research
Juel Bennewitz, Secretary to the Committee

Conferees appearing before the committee:

Representative Jessie Branson
Emmalene Correll, Kansas Department of Legislative Research

Chairman Barr called the meeting to order at 1:36 p.m.

Representative Branson explained the Kansas Commission on Access to Services for the Medically Indigent's recommendations regarding Medicaid expansion for young children, Attachment No. 1.

Emmalene Correll gave an extended detailed report of the Commission's report including all of its recommendations. She advised the committee that it would receive copies of the report when it has completed the printing process.

Attachment No. 2 is Representative Wagon's chart identifying topics addressed during hearings on children's issues the week of February 13 - 16, 1989; possible committee action and other action on bills to support committee action.

Attachment No. 3 is a similar summary by Representative Sebelius and Attachment No. 3A is a summary by the representative's intern.

Attachment No. 4 is a listing of current bills, their status, committee assignment and committee action relative to children and family issues, prepared by Mary Galligan.

Committee discussion followed Representative Wagon's outline, and for purposes of simplification, the minutes reflect the same throughout committee discussion.

I. AGENCY RESPONSIBILITY

Representative Wagon noted the State of New York having a standing legislative committee on children and families which would seem a more efficient approach than a "hodgepodge" coming from various committees.

Chairman Barr appointed a subcommittee consisting of:

Representative Jenkins, Chairman
Representative Wagon
Representative Ramirez

to do further study and make recommendations to the committee.

Representative Jenkins made a motion, seconded by Representative Sebelius to notify the House Public Health and Welfare Committee of this committee's support of its request for an interim study regarding the social worker shortage. Motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS,

room 526-S, Statehouse, at 1:36 ~~xxx~~ p.m. on February 21, 1989

II HEALTH

Maternal and Infant Care and Child Health

Representative Wagnon made a motion to introduce a house resolution calling for expansion of the Maternal and Infant Care and Healthy Start programs by 1991, seconded by Representative Sebelius. Some discussion ensued regarding funding. Representative Wagnon explained the resolution does not refer to funding just by 1991 (the target date used by the Governor's Commission) every Kansas child should have access to the specified services. The resolution suggests a direction and is not an appropriation since this committee cannot appropriate funds. The chairman reminded the committee that members of the Appropriations Committee are looking to the Federal and State Affairs Committee for recommendations on how the state can get the most for its dollars based on the material presented at the hearings. It was clarified that the increase in the governor's budget for the Maternal and Infant Care and Healthy Start programs would expand existing services within the counties providing those programs, not to take the first step toward expanding the programs to other counties. Representative Jenkins suggested encouraging the Appropriations Committee to increase that funding over and above the governor's recommendation. It was suggested investment for programs for these groups is productive use of state dollars because of the positive end results. Representative Sebelius suggested adding to the committee's recommendation that the subcommittee dealing with the KDHE budget look to expansion in FY 1990. Representative Jenkins asked for figures from staff regarding expansion over the next two years. Motion carried.

Other Action/ Bills to Support

All of these suggestions are appropriation oriented with the exception of the health stations. Representative Wagnon asked that the minutes reflect the Northcentral Health Station in Wichita's efficacy. Representative Aylward made a motion to send a resolution to the State School Board asking it to investigate the possibility of expanding the health stations, seconded by Representative Sughrue. There was limited discussion by the committee whether further hearings should be held on the health stations and the actual number of youth in need of physicals for participation in sports. The resolution is a way of prompting further investigation by the school board to see if the problem is basically urban in nature as had been suggested. Motion carried.

There was a motion by Representative Sebelius, seconded by Representative Wagnon that the chairman appear before the appropriations subcommittee reviewing the SRS and KDHE budgets and recommend enhanced funding for all of the actions recommended with the exception of the health stations. Motion carried.

Teen Pregnancy

Support for the State Board of Education's mandate for school programs and funding should be included (it is found under IV. Education - Other Actions/Support). Permission from leadership is required to request technical assistance from NCSL. Teenage pregnancy is the beginning of the cycle of many of our social problems. Representative Jenkins supported putting the issue of teen pregnancy in for interim study, adding the Governor's Report is not exhaustive on that topic. Representative Jenkins moved to introduce a resolution commending the State Board of Education on the mandated human sexuality/AIDS education programs but to strengthen the program by making it more realistic, related to human functions, lower the age level of presentation to perhaps elementary school and to support community programs already addressing this issue. Representatives Aylward and Ensminger seconded the motion which then carried.

The chairman will request an interim study on teen pregnancy and technical assistance from NCSL.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS,

room 526-S, Statehouse, at 1:36 ~~PM~~/p.m. on February 21, 1989

III DYSFUNCTIONAL FAMILIES

The chairman will appear before the appropriations subcommittee reviewing the SRS budget and support a study by an outside agency concerning the restructuring of the system handling foster care and child abuse to make it effective. The chairman will also support enhanced funding for foster care and additional day care reimbursement in her appearance before the subcommittee. Representative Schauf is co-sponsor of HB 2168 regarding submitted reports by foster parents which will be heard in the Judiciary Committee on February 27, 1989.

It was suggested the committee go through the Post Audit Study on YCAT, time permitting.

Representative Gjerstad suggested a pilot project in some schools with high risk populations to co-locate SRS staff in those schools. The chairman will draft a letter to Secretary Barton, SRS, suggesting this as part of the direction to SRS to provide outreach services

The meeting adjourned at 3:22 p.m.

The next meeting of the committee will be February 22, 1989, 1:30 p.m. in Room 526-S.

GUEST LIST

FEDERAL & STATE AFFAIRS COMMITTEE

DATE February 2, 1989

(PLEASE PRINT)

NAME	ADDRESS	WHO YOU REPRESENT
Betty Jones	Shawnee, Ks	Eagle Forum
MYRNA WORKMAN	KC Ks	Informed Voters Alliance
Ruth Wilkin	Topeka	Girl Scouts
Belva Ott	Wichita	Planned Parenthood of Ks
Azzie Young	Topeka	KDHE
JERRY MARLATT	"	KS EFF
Eva Pereira	Topeka	Wagonis Office
ANDREA OLNESS	LAWRENCE KS	Rep. Turnquist's Office
Shaila Reifsteck	Salina, KS	Close-up Kansas
Jana Waide	Topeka, Ks.	Youth Succ., SRS.
Bill Vaux	Lawrence	Rep Branson's Intern
Mark Tallman	Topeka	ASK
Cita & Wolf	Topeka	KDHR
Kathleen Warren	Topeka	DOB
Chuck Ditzler	Lawrence, KS	Intern w/ George Dean
Mandie Kewen	Ulysses, Ks	Close-up
Kim Neufeld	Ulysses Kansas	Close-Up Kansas
Candee Monson	Ulysses, Kansas	close-up Kansas
Ann Heiberger	Overland Park	League Women Voters, KS,
Blonde Park	Ks. Dept. Hum Resources	
Peter Doran	Ulysses Ks	close-up Ks
Ala Schmidt-Tiesson	Newton, KS	Bethel College
Karen Fland	Topeka	Ks. ASSOC OF PSALTOES
Richard Morrissey	Topeka	KDHE

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JESSIE M. BRANSON
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LAWRENCE, KANSAS 66044-2423
(913) 843-7171



TOPEKA

HOUSE OF
REPRESENTATIVES
February 21, 1989

COMMITTEE ASSIGNMENTS
RANKING MINORITY MEMBER: PUBLIC HEALTH AND
WELFARE
VICE CHAIRMAN: COMMISSION ON ACCESS TO SERVICES
FOR THE MEDICALLY INDIGENT AND THE HOMELESS
MEMBER: EDUCATION
TAXATION
STATE ADVISORY COMMISSION ON SPECIAL
EDUCATION

TO: Representative Ginger Barr, Chair
and Members
Committee on Federal and State Affairs

FROM: Representative Jessie Branson, Vice Chair
Commission on Access to Services for the
Medically Indigent

Jessie

I am pleased to have the opportunity of appearing before you today in behalf of the Kansas Commission on Access to Services for the Medically Indigent.

Since Emmalene Correll, a member of the Legislative Research Department who staffed the Commission, will be presenting to you several of the Commission's recommendations regarding children's health issues, I will comment only on Medicaid expansion for young children which the Commission holds as its highest priority.

During the 1986 Legislative Session, Representative Joan Adam and I, along with the Kansas Hospital Association, all separately requested approval from the Legislative Coordinating Council for an interim study on medical indigence. That request was approved, and following an intensive study, the 1986 Special Committee on Public Health and Welfare proposed legislation which was enacted by the 1987 Legislative Session to establish the Commission on Access to Services for the Medically Indigent and Homeless.

HOUSE FEDERAL & STATE AFFAIRS
Attachment No. 1
February 21, 1989

The Commission, composed of four legislators and five appointees of the Governor, has held numerous meetings and traveled the state during the past 14 months.

The report of the Commission, which is now being printed and is due to be submitted to the Governor and to members of the Legislature, carries strong recommendations concerning expansion of the Medicaid program for children and for pregnant women.

The incidence of medical indigence is an overwhelming problem in Kansas and in the nation, as a result of the escalating cost of health care and lack of health care coverage. It is important to note, however, that a contributing factor in Kansas is the high proportion of small employers who may not, or can not, provide health insurance primarily due to the high cost. About 50% of the medically indigent are employed and often referred to as "the working poor".

One of the consequences of this dilemma is that providers of health care, including hospitals, local health departments, community clinics for the medically indigent and private physicians are hit with a demand for health services by increasing numbers of medically poor.

The Commission heard considerable testimony to the effect that, typically, the medically indigent have not received preventive or basic health care and they present themselves with an acute illness or an accident. Children with severe earaches, high fevers, etc., showing up at emergency rooms, were frequently cited as were women who, having had little or no prenatal care, appearing at the hospital door in labor.

Local Health Department nurses always expressed deep frustration and concern to us regarding the large numbers of families

with children who have no health insurance and who, in desperation, seek help from local health departments for primary and acute care.

When asked by the Commission where they (the providers) would place their priority in public assistance for indigent families, the answer was always the same -- "for the children, especially the children, and for prenatal and peri-natal care".

During the 1988 Session the Commission spent considerable effort on its recommendation to expand Medicaid at 100% of the federal poverty level for pregnant women and for children up to five years of age. The Legislature responded by expanding this coverage to pregnant women and to children up to two years (rather than five).

I am informed by SRS that this expansion is working well and that there are now, at any given time, a total of 1400 additional women/children enrolled. However, it does seem inconsistent and unfair that children are cut off at age two.

RECOMMENDATION

The Commission strongly recommends phasing in additional children to the Medicaid program, and that expansion be extended to 100% of the poverty level (at a minimum) for age six in FY '90, age seven in FY '91, and age eight by FY '92.

The Commission, of course, also strongly supports expansion for pregnant women and infants to 185% of the poverty level.

CAN BE HEALTHY (formerly EPSDT)

The Commission emphasizes that a significant benefit occurs from Medicaid expansion to children, especially pre-school children, in that these additional children are then eligible for CAN BE HEALTHY, which the Commission believes is a most valuable program.

CAN BE HEALTHY provides the opportunity for examinations and screening at appropriate periodic intervals, which in turn opens up avenues for prevention, detection and treatment of various diseases and handicapping conditions.

Examples of such diseases and conditions would be anemia (including sickle cell), deafness, scoliosis (curvature of the spine), early diabetes, kidney disease, poor vision, and speech defects, to mention a few. Certain indicators can also be detected, determining how well a child may get along scholastically or socially, by picking up on any conditions which would interfere later with his/her education, so that treatment and/or referral can be provided. In other words, CAN BE HEALTHY provides the opportunity for thorough screening and diagnosis that may not be present in a routine physical examination.

CAN BE HEALTHY gives children from low income families the chance to be healthier and more able to compete with children whose families can afford adequate health care early.

* * * * *

On the matter of the shortage of SRS social workers, who provide outreach to help Medicaid children obtain services, and refer children for the CAN BE HEALTHY PROGRAM, I would like to make a personal comment.

No doubt there are actions which could be undertaken to alleviate the shortage. Possibly foremost would be that of a vigorous recruiting program by SRS at colleges and universities. I am informed that the University of Kansas graduates 200 to 300 social workers at the baccalaureate level every year, but SRS has in the past put forth only a minimal recruiting effort.

Thank you very much for your time and consideration.

cc: Senator Roy Ehrlich, Chair
Commission on Access to Services
for the Medically Indigent

Representative Belle Borum, Senator Gene Anderson
Members of the Commission

	<u>Total Cost</u>	<u>SGF</u>
Children, 2-6 yrs. up to 100% poverty level	6.6 M	3.1 M
Pregnant Women and Infants up to 185% poverty level	8.1	3.6
	<hr/>	<hr/>
	14.7	6.7
Administrative Costs	1.8	.9
	<hr/>	<hr/>
	16.5	7.6

Approximately 16,453 additional children would be served by adding ages 2 to 6 years.

JMB:hlh

Topic/Problem Addressed	Fed/State Action	Other Action/Bills to Support
I. <u>Agency Responsibility</u> duplication of effort	Need Permanent Commission or Advocacy Voice--rerefer HB2278 or introduce new bill; could authorize standing committee in legislature on Children/Families	
Social Worker Shortage	Incentive program for recruitment, including higher salary, lower caseload, better training	
II. <u>Health</u> Maternal/Infant	Introduce resolution calling for statewide expansion of M&I and Healthy Start by 1991	Expand Medicaid eligibility for pregnant women/kids 185% poverty (\$1.5 SRS)
Child Health		Expand Medicaid to children up to age 6 (now at 2)
		Expand outreach on EPSDT -target adolescents
		Support Health Stations
		Support Healthy Start
Teen Pregnancy	REquest technical assistance from NCSL Create incentive program for local planning/program efforts in teen pregnancy area	Support innovative community programs to reduce incidence of teen pregnancy

Topic/problem addressed	Fed/State Action	Other bills/action support
III. <u>Dysfunctional Families</u> Child Protection	Introduce bill calling for study similar to Children's Coalition proposal and also recommendation of Gov. Comm. to do a comprehensive study of child protective services/ foster care system	Fund 24 new family preserv. workers (SRS 1.3m) Support Felony murder in child abuse cases (many bills introduced)
Foster Care	consider Sughrue bill on permanency planning REquire followup services for foster kids nearing 18 as a transition to independent life	support increased reimb. rates for foster care
Poverty		support reducing the shared living penalty for AFDC clients (\$2.4 m SRS)
Substance Abuse		
Juvenile Offenders	Call for interim study on role of youth institutions such as YCA, and to define their relationship to corrections; examine Post Audit study on YCAT when complete	

Topic/Problem Addressed

Fed/State Action

Other Actions/Support

IV. Education

AIDS/Sex Education in Schools

Support St.Bd. Educ. mandate
for school programs and funding

Support to Teen Parents/
Dropout prevention

HB 2349--At Risk Pupils (Educ.)
HB 2218--Parenting Programs (Ed.)
SB 13 LEPC At Risk program
YES program (ASK students)

V. Childcare

Start-up grants for
LatchKey/Childcare

HB2032--tax credits for employers
providing childcare

centralize childcare
referral/technical assist.
(could be related to commission
idea)

Training for In-home daycare
providers

more non-KanWork daycare slots;
support increased provider
reimbursement

AGENCY

coordinate efforts

HB 2278

social worker shortage
too many cases
high turnover
\$\$, training

HEALTH

maternal & infant

medicaid eligibility to
185%
(or kids to 5)

Can Be Healthy

Healthy Start

Teen Health Clinics

FOSTER CARE

study of system

FAMILY PRESERVATION

family bills H 2168, 2315 (termination of rights, filing
report)
increase reimbursement (full \$\$ or dose)

Send Family preservation

some training/assistance for foster parents

EDUCATION

school-based child care

earlier, better sex-ed / AIDS

parents as teachers HB2218

CHILD CARE

school-based programs

\$\$ for SES slots / reimburse by areas

in-service for home providers - training \$

office of services HB2278

latch key funds

tax credits for employers HB 2032

Major Issues

I. Health

A. Funding

1. Prenatal Health; John Pierpont w/ CYAC; Healthy Start/Home Visitor
2. Teenage Health Stations (Adolescent Health Care); KAC, inc.

II. Foster Care / Kids under state care

A. Funding

1. Respite care for foster parents (Gov. Commission)
2. ~~More~~ Increasing funds for independent living (Gov. Commission)
3. Increasing foster care payment, insurance and training costs
4. Increase reimbursement to care group homes
5. Extension of Attendant Care facilities into local communities

B. Policy

1. Restriction on movement (Gov. Commission)
2. Tightening caseloads
3. Prevention services to high-risk families
4. Foster Parent training

III. Education

A. Policy

1. Alternative Education/Jun. Aid Program (Jun. Deck)

B. Funding

1. ASK's development of Youth Education Services

IV. Child Care

A. Funding

1. Child Care for Teenage Mothers; Beverly Eversmeyer,
2. Early intervention
3. Increase reimbursement for day care providers;
Paul Shields
4. Everywoman's Resource Center
5. Increase reimbursement for private agencies

B. Policy

1. Home provider in service; Child Care Providers
Coalition
2. Day care in high schools; Jim Dodge
3. Everywoman's Resource Center

BILLS REGARDING CHILDREN AND FAMILY ISSUES

<u>Bill No.</u>	<u>Sponsor</u>	<u>Committee</u>	<u>Status</u>	<u>Subject</u>
<u>Crimes</u>				
2396	Judiciary	Judiciary	Committee	Audio tape recordings of sexually exploiting a child
2350	Smith	Judiciary	Committee	State officers and employees who are convicted of certain crimes, relieved of duties
2342	Justice, <u>et al.</u>	Judiciary	Committee	Creating a crime of ethnic intimidation
2242	Gomez	Judiciary	Committee	Killing a child during child abuse is first degree murder
2091	Mead	Judiciary	Hearing 2/9	Indecent liberties with a child, elements, affirmative defense
2057	Allen, O'Neal	Judiciary	Hearing 2/8	First degree murder to include death committed in perpetration of abuse of a child or aggravated battery of a child
231	Winter, <u>et al.</u>	Judiciary	Committee	Endangering a child to include failure to report child abuse by certain persons
79	Judiciary	Judiciary	Hearing 2/17	Expungement of certain convictions or records not permitted, juvenile offenders
78	Judiciary	Judiciary	Committee	Indecent liberties with a child, elements, affirmative defense
48	Judiciary	Judiciary	House Committee	First degree murder to include death committed in perpetration of abuse of a child or aggravated battery of a child

<u>Bill No.</u>	<u>Sponsor</u>	<u>Committee</u>	<u>Status</u>	<u>Subject</u>
44	Johnston, <u>et al.</u>	Judiciary	Hearing 1/30	First degree murder to include death committed in perpetration in abuse of a child or aggravated battery of a child

Institutions

2206	Blumenthal, <u>et al.</u>	Health & Welfare	Hearing 2/21	Reporting abuse or neglect of residents of facilities serving the mentally retarded
2176	Appropriations	Gov. Org.	Hearing 2/17	Jurisdiction of corrections ombudsman with regard to state youth centers

Abortion

2348	Lucas, <u>et al.</u>	Fed. & State	Committee	Abortion crimes
2297	Crowell	Fed. & State	Committee	Prohibiting abortion of viable fetus
264	Health & Welfare	Judiciary	Committee	Child born after abortion attempt considered child in need of care under Kansas code for care of children
91	Fed. & State	Fed. & State	Committee	Consent to abortions performed on minors; defining crimes relating to abortion

Alcohol and Drugs

2356	Whiteman	Fed. & State	Committee	Alcohol and drugs, driving privileges, suspension
2331	Reardon, <u>et al.</u>	Fed. & State	Committee	Awareness program, driving under influence
2292	Lowther, <u>et al.</u>	Fed. & State	Committee	Suspension of minor's driving privileges for any alcohol or drug-related offenses

<u>Bill No.</u>	<u>Sponsor</u>	<u>Committee</u>	<u>Status</u>	<u>Subject</u>
2237	Lowther	Fed. & State	Committee	Defense to crime of selling alcoholic beverage or CMB to minor if unknowingly sold to minor using false identification
2118	Bowden (by req.)	Fed. & State	Hearing 2/9	Increasing fine for furnishing alcohol to minors
219	Winter, Petty	Judiciary	Committee	Suspension of minor's driving privileges for any alcohol or drug-related offense
153	Judiciary	Judiciary	Committee	Increasing penalty for purchase or consumption of liquor by a minor
152	Judiciary	Judiciary	Committee	Increasing penalty for furnishing CMB to a minor
1608	Judiciary	Judiciary	Committee	Requiring assessment and treatment of juvenile offenders for alcohol and drug abuse problems
<u>Health Care/Safety</u>				
2392	Insurance	Insurance	Committee	Insurance; health coverage for adopted children
2196	Transportation	Transportation	Hearing 2/14	Child passenger safety act amendments
<u>Families</u>				
2315	Sughrue, <u>et al.</u>	Fed. & State	Committee	Children in need of care, reintegration into family
2285	Turnquist, <u>et al.</u>	Pensions	Committee	KPERS benefit, subject to claims for child support
2278	Sebelius, Wagnon	Gov. Org.	Committee	Establishment of commission on women and families and office of child care services

<u>Bill No.</u>	<u>Sponsor</u>	<u>Committee</u>	<u>Status</u>	<u>Subject</u>
2258	Dean, <u>et al.</u>	Judiciary	Committee	Interference with parent-child communications in domestic relations cases
2218	Pottorff, <u>et al.</u>	Education	Committee	School districts, parent education programs, grants of state moneys
2211	Wagnon	Labor & Ind.	Committee	Family and medical leave
2168	Schauf, <u>et al.</u>	Judiciary	Committee	Foster care parents required to file a report on the child's adjustment, progress and condition
74	Judiciary	Judiciary	Hearing 2/9	Child support, Kansas guidelines
73	Judiciary	Judiciary	Hearing 2/9	Divorce and maintenance, child custody, counseling
34	Yost	Judiciary	Hearing 2/20	Rebutting the presumption of paternity; court ordered tests

State Licensure

2122	Health & Welfare	Health & Welfare	Killed 59-64	License fees for maternity hospitals and homes for children
2121	Health & Welfare	Health & Welfare	Senate Committee	Effect of denial or revocation of license or certificate of registration to operate certain child care homes
2120	Health & Welfare	Judiciary	Hearing 2/7	Penalties for homes for children

Taxation/Fees

2032	Taxation	Taxation	Hearing 1/24	Income and privilege tax credit for the provision of child day care assistance
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<u>Bill No.</u>	<u>Sponsor</u>	<u>Committee</u>	<u>Status</u>	<u>Subject</u>
146	Winter, <u>et al.</u>	Judiciary	Committee	Increasing marriage license fees; protection from abuse fund
<u>Education</u>				
64	Education	Education	House Committee	Homeless children, residence for school attendance
63	Francisco	Judiciary	Subcom. hearing 2/17	Schools, duties with respect to children in shared or joint custody arrangements
52	Education	Education	Hearing 2/15	Early childhood developmental services, coordinating council on
5003	Spec. Cmt. on School Finance	Education	Committee	Resolution reaffirming dedication of Legislature to goal of 50% level of state support for school district general fund operation

89-63/mkg