

Approved _____

Date

3-29-9

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MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

8:00 a.m./p.m./on March 21, 1989 in room 254-E of the Capitol.

All members were present except:

Representative Elaine Wells, absent

Committee staff present:

Emalene Correll, Research

Bill Wolff, Research

Norman Furse, Revisor

Sue Hill, Committee Secretary

Conferees appearing before the committee:

Chair called meeting to order and discussion and action began on bills previously heard in this committee.

SB 36. Support dogs being used by some persons with handicaps.

Chair asked if there were any questions in regard to SB 36. There were none, then Chair recognized Rep. Flower.

Rep. Flower moved SB 36 be passed out favorably and be placed on the Consent Calendar, seconded by Rep. Amos, motion carried.

Chair directed attention to SB 102.

Discussion in regard to language on planned continuous program of dietetic experience. Some schools require 900 hours of experience, others do not, however, if this requirement is left in the act, all must obtain the 900 hours experience in order to qualify to be licensed.

Mr. Morrissey was invited to respond by Chair. He noted their Department is satisfied with the bill as it appears. Their Department had no intent to change policy, and are comfortable with language, and said they would defer to the judgment of this committee.

Rep. Scott moved to pass SB 102 out favorably, seconded by Rep. Weimer.

At this time Mr. Furse noted there was some concern in Sub (c) Page 3, in regard to revocation of license. He explained technical aspects and offered suggestions in regard to language changes.

Rep. Scott and Rep. Weimer withdrew their earlier motions.

Discussion continued in regard to length of time to reapply for licensure. Rep. Branson made motion to amend SB 102 on line 97 by adding language "not to exceed two (2) years", seconded by Rep. Wiard. Discussion continued, with Mr. Morrissey asking, if a maximum is set, would this allow the relicensure no matter what has been done. It was determined the Secretary would make the final decision on reinstatement of licensure. It was noted in some cases, revoking licenses is meant to be permanent.

Mr. John Peterson was asked for his comments, and he agreed with the Secretary being in position to make final judgment on re-instatement. He noted he felt it important to remember this bill was intended to clarify language concerns. He had not testified on the bill because the initial intent was for administrative purposes of clarification.

Vote taken, motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 254-E, Statehouse, at 8:00 a.m./p.m./on March 21, 1989

DISCUSSION CONTINUED ON SB 102:-

On the bill as a whole Rep. Branson moved to pass SB 102 out favorably as amended, seconded by Rep. Buehler, motion carried.

Chair drew attention to **SB 115.**

Mr. Furse noted technical changes necessary in regard to license being cancelled as of date of expiration. He noted need to remove language in this regard. Rep. Green moved to amend SB 115 by deleting "as of the date of expiration" in line 53, and lines 57/58, deleting ", the expiration date". Motion seconded by Rep. Flower, motion carried.

On the bill as a whole, Rep. Branson moved to pass SB 115 favorably as amended, seconded by Rep. Scott, motion carried.

Chair drew attention to **SB 189.**

Ms. Correll noted technical cleanup on Page 6, line 204 in regard to confidentiality situation. Mr. Furse detailed specifics in language that could be used in order to not exclude the Board from access to the records by the Board of Pharmacy. Rep. Amos made a conceptional motion to amend SB 189 as per Revisor's recommendation in regard to confidentiality. Seconded by Rep. Scott. Discussion ensued, i.e., concerns in regard to willful betrayal of information.

Mr. Furse indicated language that could apply to this situation, i.e., an alternative to limiting records access, would be to provide similar language used in Statutes for psychologists and other health care providers, i.e., "shall have the same patient confidentiality as in (physician/patient). It was determined at this point the conceptional motion would include language changes to correct this concern as well.

Vote taken, motion carried.

Mr. Furse noted further on Page 2, of **SB 189**, as a technical point, the section needs to be (revived), and he stated it would be noted in the introductory language. He explained rationale.

Rep. Weimer moved to amend SB 189 as per Mr. Furse's recommendation on reviving Section 65-1627. Motion seconded by Rep. Hochhauser, motion carried.

On the bill as a whole, Rep. Cribbs moved to pass SB 189 favorably as amended, seconded by Rep. Sader, motion carried.

Chair drew attention to **SB 198.**

Chair directed attention to amendment needed on SB 198, and Mr. Furse offered a balloon copy of same, (Attachment No. 1). Mr. Furse detailed changes as outlined in balloon, giving rationale. Some changes needed are technical, others would pick up a section from the Occupational Therapists Act (OT's) since the OT's situation is handled in an identical fashion as the Respiratory Therapy Act in regard to fee structure.

Rep. Amos moved to amend SB 198 as proposed by Staff, seconded by Rep. Green. Discussion ensued.

Chair asked for vote on bill as a whole, members voted aye, motion carried.

Meeting adjourned.

Note: Clarification of this vote on SB 198 is in minutes of 1:30 p.m. meeting on March 21st.

SENATE BILL No. 198

By Committee on Public Health and Welfare

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AN ACT concerning the respiratory therapy practice act; amending 65-5409 and K.S.A. 1988 Supp. 65-5509 and repealing the existing section. sections

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

Section 1. K.S.A. 1988 Supp. 65-5509 is hereby amended to read as follows: 65-5509. (a) The board shall charge and collect in advance fees provided for in this act as fixed by the board by rules and regulations, subject to the following limitations:

Application fee, not more than	\$40
Examination fee, not more than	250
Temporary registration fee, not more than	40
Special permit fee, not more than	40
Registration renewal fee, not more than	20
Registration late renewal fee, not more than	40
Registration reinstatement fee, not more than	40
Certified copy of registration, not more than	20

(b) The board shall charge and collect in advance fees for any examination given by the board as fixed by the board by rules and regulations in an amount equal to the cost to the board of the examination.

state board of healing arts; relating to fees charged for certain examinations;
65-5409 and sections
administered
under the respiratory therapy practice act
If the examination is not administered by the board, the board may require that fees paid for any examination under the respiratory therapy practice act be paid directly to the examination service by the person taking the examination.

Sec. 2. See attached

Sec. 2 K.S.A. 1988 Supp. 65-5509 is hereby repealed.

Sec. 3 This act shall take effect and be in force from and after its publication in the statute book.

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65-5409 and 65-5509 are
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PAW
attn #1
3-21-89
8:00am

Sec. 2. K.S.A. 1988 Supp. 65-5409 is hereby amended to read as follows: 65-5409. (a) The board shall charge and collect in advance fees provided for in this act as fixed by the board by rules and regulations, subject to the following limitations:

Application fee, not more than.....	\$40
Examination fee, not more than.....	200
Temporary registration fee, not more than.....	40
Registration renewal fee, not more than.....	20
Registration late renewal fee, not more than.....	40
Registration reinstatement fee, not more than.....	40
Certified copy of registration, not more than.....	20

(b) The board shall charge and collect in advance fees for any examination administered by the board under the occupational therapy practice act as fixed by the board by rules and regulations in an amount equal to the cost to the board of the examination. If the examination is not administered by the board, the board may require that fees paid for any examination under the occupational therapy practice act be paid directly to the examination service by the person taking the examination.

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P. 1-9
S. J. G. M.*