

Approved AWP Feb 26-90  
Date

MINUTES OF THE HOUSE COMMITTEE ON LABOR & INDUSTRY

The meeting was called to order by Representative Arthur Douville at  
Chairperson

9:00 XXX a.m./p.m. on February 20, 1990 in room 526-S of the Capitol.

All members were present except:  
Representative Gomez - Excused  
Representative Lane - Excused

Committee staff present:  
Jerry Donaldson - Legislative Research Department  
Jim Wilson - Revisor of Statutes' Office  
Cindy Wulfkuhle - Committee Secretary

Conferees appearing before the committee:  
Representative Bill Brady  
Roger Werholtz - Deputy Secretary, Department of Corrections  
Chip Wheelen - Director of Public Affairs, Kansas Medical Society

The meeting was called to order at 9:00 a.m. by Chairman Douville. The minutes of February 19, 1990 were distributed and unless objections are presented by Thursday, February 22, 1990 at 9:00 a.m. they will stand approved as presented.

HB 2936: Workers compensation, coverage of persons performing community service work while assigned to a conservation camp

Representative Bill Brady addressed the committee as a proponent of the bill and distributed handouts, Attachments #1 & 2. He stated that the purpose of this bill was to add, on page 4, line 24 "or conservation camp" because of an agreement between The Department of Corrections and Labette County to set up a conservation camp in Oswego in 1991. It would allow inmates in the conservation camp to fall under the same statues as inmates in the corrections programs. Representative Brady also stated that the bill would insure medical care for prisoners injured while doing community work. The State is responsible for all medical bills in excess of ten thousand dollars. Bills under that amount are contracted and the State pays for everything over that amount.

Roger Werholtz, Department of Corrections, addressed the committee as a proponent of the bill. He stated that the bill is consistent with the negotiations in Labette County. This is part of the solution that will protect the counties' interest in dealing with medical care and protecting the state's interest in that the state does not want to assume the responsibility for the medical care for those individuals who are conservation camp participants.

Chip Wheelen, Kansas Medical Society, addressed the committee to make a request, Attachment #3. He stated that he would like to change page 4, line 6 (i) "The words physician, surgeon or doctor" to "Health care provider". It would be a technical amendment.

Jim Wilson, Revisor, stated that there were no policy changes.

The meeting adjourned at 9:30 a.m. The next meeting of the committee is scheduled for Wednesday, February 21, 1990 at 9:00 a.m. in room 526-S.



STATE OF KANSAS



TOPEKA

HOUSE OF  
REPRESENTATIVES

February 20, 1990

BILL BRADY  
REPRESENTATIVE, SIXTH DISTRICT  
LABETTE, MONTGOMERY COUNTIES  
1328 GRAND  
PARSONS, KANSAS 67357-4257  
(316) 421-6281

COMMITTEE ASSIGNMENTS  
RANKING MINORITY MEMBER  
PENSIONS, INVESTMENTS AND BENEFITS  
MEMBER: EDUCATION  
JOINT COMMITTEE ON SPECIAL CLAIMS  
AGAINST THE STATE  
JOINT COMMITTEE ON LEGISLATIVE  
EDUCATIONAL PLANNING

Thank you Mr. Chairman and members of the Labor and Industry Committee for the opportunity to speak in support of HB 2936.

HB 2936 extends worker's compensation coverage for persons performing community service work as the result of assignment to a conservation camp. The camp is a new initiative negotiated by the Department of Corrections and Labette County for "FY 91".

Feb. 19, 1990

To: Rep. Bill Brady

From: Helen C. Jones, Chairperson  
Charles J. Sell, District Judge  
Labette County Corrections Conservation Camp Advisory Board

Re: Testimony for House Bill No. 2936

Hearing Tuesday, Feb. 20, 1990 9:00 a.m.

The comprehensive plan for a conservation camp developed by Labette County and approved by the Kansas Department of Corrections includes as a very important feature of the program that persons assigned to the conservation camp will be required to perform "community service work" for local entities of government as defined in Section 1 (a.) of KSA 44-50B.

In order to provide protection for those local entities of government as well as to those persons assigned to the conservation camp, we feel that it is important to specifically and separately identify the conservation camp as an entity that will assign persons to perform community service work as that is defined in paragraph (L).

This is compatible with Senate Bill 49 (1989 session) which provides for conservation camps as a new sentencing alternative.

1 the trier of facts by a preponderance of the credible evidence that  
2 such party's position on an issue is more probably true than not true  
3 on the basis of the whole record.

4 (h) "Director" means the director of workers' compensation as  
5 provided for in K.S.A. 75-5708 and amendments thereto.

"Health care provider"

6 (i) ~~The words "physician," "surgeon" or "doctor"~~ shall mean and  
7 include any person licensed, by the proper licensing authority of  
8 this state, another state or the District of Columbia, to practice  
9 medicine and surgery, osteopathy, chiropractic, dentistry, optometry  
10 or podiatry.

11 (j) "Secretary" means the secretary of human resources.

12 (k) "Construction design professional" means any person who is  
13 an architect, professional engineer, landscape architect or land sur-  
14 veyor who has been issued a license by the state board of technical  
15 professions to practice such technical profession in Kansas or any  
16 corporation organized to render professional services through the  
17 practice of one or more of such technical professions in Kansas under  
18 the professional corporation law of Kansas or any corporation issued  
19 a certificate of authorization under K.S.A. 74-7036 and amendments  
20 thereto to practice one or more of such technical professions in  
21 Kansas.

22 (l) "Community service work" means (1) public or community  
23 service performed as a result of a contract of diversion or of assign-  
24 ment to a community corrections program or *conservation camp* or  
25 suspension of sentence or as a condition of probation or in lieu of  
26 a fine imposed by court order; or (2) public or community service  
27 or other work performed as a requirement for receipt of any kind  
28 of public assistance in accordance with any program administered  
29 by the secretary of social and rehabilitation services.

30 Sec. 2. K.S.A. 1989 Supp. 44-508 is hereby repealed.

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



KANSAS MEDICAL SOCIETY

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Chip Wheelen  
Director of Public Affairs