

Approved 3-19-90
Date

MINUTES OF THE Senate COMMITTEE ON Federal and State Affairs

The meeting was called to order by Senator Edward F. Reilly, Jr. at
Chairperson

11:05 a.m./p.m. on March 13, 1990 in room 254-E of the Capitol.

All members were present ~~except~~:

Committee staff present:

Emalene Correll, Legislative Research
Mary Galligan, Legislative Research
Deanna Willard, Committee Secretary

Conferees appearing before the committee:

Senator Phil Martin
Jackie Snyder, Assistant Dean, Johnson County Community College
Jamie Corkhill, Attorney, Child Support Enforcement, SRS
Dr. Lorne Phillips, State Registrar and Director, KDHE

Senator Phil Martin requested a bill pertaining to auctioneers.
(SB 775)

A motion was made by Senator Vidricksen and seconded by Senator Bond to introduce the bill. The motion carried.

Hearing on: SB 643 - Authorizing consumption of liquor on certain premises at Johnson county community college

Senator Bond said that the community college cultural arts center is a \$20 million building that will be the site of performances by major artists.

Jackie Snyder, Johnson County Community College, gave testimony asking for an exemption to permit alcoholic beverages to be served in conjunction with special events at the new cultural center.
(Attachment 1)

Rev. Richard Taylor spoke in opposition to the bill. He said he would keep repeating that we have a war on drugs. There is a movement for smoking in fewer places, so why should we allow drinking in more places. Alcohol is an illegal drug for those under 21; war on drugs is phony until people admit alcohol is a drug. He said to get rid of hypocrisy the controlled substance statute 65-4102, Section D, that exempts alcohol, should be amended to exempt JCCC also.

Hearing on: SB 665 - Relating to furnishing social security numbers; certificates of birth

Jamie Corkhill, SRS, gave testimony on the need for this bill and urged its passage. (Attachment 2) Also distributed was a balloon of SB 665. (Attachment 3)

Dr. Lorne Phillips, KDHE, discussed the fiscal impact of the bill.
(Attachment 4)

Staff gave a briefing on questions that had been raised pertaining to the need for parental consent for various purposes and the parental consent bills that were passed by the Senate in '86, '87, and '89.
(Attachments 5 and 6)

The meeting was adjourned at 12:05 p.m.

I am Jackie Snyder, Assistant Dean of Community Services at Johnson County Community College. I am speaking today on behalf of the College and its Board of Trustees in support of Senate Bill 643. This bill will permit the Trustees of the College to adopt policies for consumption of wine and spirits by persons attending theatre and performing arts productions at the Cultural Education Center now under construction at the College. This building which will be completed in July of 1990 is already earmarked by those in Johnson County, as well as the entire Kansas City metropolitan area, as a premier facility for the performing and visual arts.

Under the present law such consumption is permitted at many places owned by governmental units and particularly educational institutions of higher learning such as Board of Regents Institutions and Washburn University.

The JCCC Trustees want to be able to adopt policies that would permit the serving of wine and spirits at cultural events in the CEC.

The Cultural Education Center is a \$20 million complex containing 20 all-purpose classrooms in addition to four theaters, a visual arts gallery, and a visitors center that will provide an opportunity for Johnson County Community College to fulfill its mission of supporting and facilitating cultural activities.

The CEC also will be the home of the JCCC Community Education program, one of the state's largest community outreach and continuing education efforts. Fully two-thirds of the 160,000 square-foot facility will be devoted to public cultural activities in addition to seminars, workshops, short courses and video conferences. It is hoped that the center will be used by the community and will become a focal point for not only performances, but for a wide range of events such as candidate forums, community festivals, lectures by nationally known speakers, and meeting of citizen groups.

Separate from the public spaces devoted to conferences and cultural events another section of the building will accommodate regular classrooms and faculty offices. There is a clear structural division between the public spaces and the more traditional academic spaces.

At most events at the CEC alcoholic beverages will not be provided. However, special events such as gala performances, will be held periodically to raise money for scholarships and to support arts programming. These events will be catered affairs where it is the expected practice to have alcoholic beverages available.

Provision of alcoholic beverages for special events has precedence at colleges and universities in Kansas and at many throughout the nation, especially at schools with performing arts complexes. As already mentioned, the legislature has granted exemptions to Regents universities and Washburn University. The exemptions allow those schools to serve alcoholic beverages on property not used for classroom instruction under policies set by the boards.

Johnson County Community College is asking for a similar exemption to permit alcoholic beverages to be served in conjunction with special events held in the performing arts wing of the new cultural center.

JCCC does not plan to serve wine and spirits regularly at all performances, just at special pre- or post-performance events or during intermission at designated shows and then under the supervision of College staff.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

Testimony before the

Senate Federal and State Affairs Committee

regarding

Senate Bill 665

on

March 13, 1990

Jamie L. Corkhill
Attorney, Child Support Enforcement
Department of Social and Rehabilitation Services
296-3237

Senate F&SA
3-13-90
Att. 2

Department of Social and Rehabilitation Services

Winston Barton, Secretary

Statement regarding S.B. 665

Title:

An act relating to furnishing social security numbers; certificates of birth.

Purpose:

This bill would require parents to furnish their own social security numbers when a birth certificate is filed and would require the Department of Health and Environment to disclose the social security numbers to SRS in Title IV-D Child Support Enforcement cases upon request.

This legislation is needed to meet the mandate of the federal Family Support Act before October 1, 1990. The goals are to reduce costs for identifying parents' social security numbers, a key factor in successfully locating absent parents, and to increase revenues from support payments made by such parents.

Background:

The primary responsibility of the SRS Child Support Enforcement Program is to help children by establishing regular and adequate support payments and by enforcing past due support obligations.

The federal Family Support Act of 1988 requires that each state, in the administration of its laws involving issuance of a birth certificate, adopt procedures requiring each parent to furnish his or her social security number. These procedures must be in place by October 1990. The federal act also prohibits the social security numbers from being recorded on the birth certificate, permits the state to make limited exceptions to the reporting requirement, and requires that the information be made available to the Title IV-D agency (SRS).

Kansas law does not currently require parents' social security numbers to be reported. Beginning July 1, 1990, the proposed legislation would require each parent to furnish his or her social security number when a birth certificate is filed and would specify exceptions to the reporting requirement. The legislation would prohibit disclosure of the parents' social security numbers on the face of the birth certificate.

The Department of Health and Environment would be required to make the social security numbers available to SRS in Title IV-D cases. Existing disclosure laws concerning records of the Department of Health and Environment would apply to other persons requesting information from that agency. Subsequent use and disclosure of social security numbers by SRS would be restricted by existing federal and state law, including the provisions of the Family Support Act.

Effect of Passage:

It is estimated that there would be an annual net gain for SRS of approximately \$20,676.48 per year, primarily from reduced expenses for locating putative fathers of children born out of wedlock and from support payments by such parents following establishment of support obligations. Gains in the first fiscal year are not expected to be significant, as the relative proportion of birth records with parents' social security numbers will be very low until several months have passed.

Enactment of Senate Bill 665 would also prevent federal fiscal sanctions for failure to meet Title IV-D program standards. Based upon FY 1989 figures, federal sanctions could range from \$558,000 to \$63,980,000 per year.

This legislation would increase administrative expenses for the Department of Health and Environment for implementing the changes, maintaining records, and sharing the information with SRS. A fiscal impact statement prepared by the Department of Health and Environment estimated that the cost to that agency of implementation and operation for the first year would be \$18,152, with operating costs of \$1,500 for each succeeding year.

Agency recommendation:

The Department of Social and Rehabilitation Services urges passage of this legislation.

Jamie L. Corkhill
Child Support Enforcement
Social and Rehabilitation Services
296-3237

Family Support Act of 1988

SEC. 125. USE OF SOCIAL SECURITY NUMBER TO ESTABLISH IDENTITY OF PARENTS.

(a) DISCLOSURE OF SOCIAL SECURITY NUMBER AT TIME OF CHILD'S BIRTH.—Section 205(c)(2)(C) of the Social Security Act is amended—

(1) in clause (i)—

(A) by inserting "(I)" after "(i)"; and

(B) by adding at the end the following new subclause:

"(II) In the administration of any law involving the issuance of a birth certificate, each State shall require each parent to furnish to such State (or political subdivision thereof) or any agency thereof having administrative responsibility for the law involved, the social security account number (or numbers, if the parent has more than one such number) issued to the parent unless the State (in accordance with regulations prescribed by the Secretary) finds good cause for not requiring the furnishing of such number. The State shall make numbers furnished under this subclause available to the agency administering the State's plan under part D of title IV in accordance with Federal or State law and regulation. Such numbers shall not be recorded on the birth certificate. A State shall not use any social security account number, obtained with respect to the issuance by the State of a birth certificate, for any purpose other than for the enforcement of child support orders in effect in the State, unless section 7(a) of the Privacy Act of 1974 does not prohibit the State from requiring the disclosure of such number, by reason of the State having adopted, before January 1, 1975, a statute or regulation requiring such disclosure."; and

(2) in clause (ii)—

(A) by striking "clause (i) of this subparagraph" and inserting in lieu thereof "subclause (I) of clause (i)"; and

(B) by adding at the end the following new sentence: "If and to the extent that any such provision is inconsistent with the requirement set forth in subclause (II) of clause (i), such provision shall, on and after the date of the enactment of such subclause, be null, void, and of no effect.".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall become effective on the first day of the 25th month which begins on or after the date of the enactment of this Act.

SENATE BILL No. 665

By Committee on Ways and Means

2-15

AN ACT relating to furnishing social security numbers; certificates of birth; amending K.S.A. 1989 Supp. 65-2422 and repealing the existing section.

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

Section 1: K.S.A. 1989 Supp. 65-2422 is hereby amended to read as follows: 65-2422. (a) The records and files of the division of health pertaining to vital statistics shall be open to inspection, subject to the provisions of this act and rules and regulations of the secretary. It shall be unlawful for any officer or employee of the state to disclose data contained in vital statistical records, except as authorized by this act and the secretary, and it shall be unlawful for anyone who possesses, stores or in any way handles vital statistics records under contract with the state to disclose any data contained in the records, except as authorized by law.

(b) No information concerning the birth of a child shall be disclosed in a manner that enables determination that the child was born out of wedlock, except upon order of a court in a case where the information is necessary for the determination of personal or property rights and then only for that purpose.

(c) The state registrar shall not permit inspection of the records or issue a certified copy of a certificate or part thereof unless the state registrar is satisfied that the applicant therefor has a direct interest in the matter recorded and that the information contained in the record is necessary for the determination of personal or property rights. The state registrar's decision shall be subject, however, to review by the secretary or by a court in accordance with the act for judicial review and civil enforcement of agency actions, subject to the limitations of this section.

(d) The secretary shall permit the use of data contained in vital statistical records for research purposes only, but no identifying use of them shall be made.

(e) Subject to the provisions of this section the secretary may direct local registrars to make a return upon the filing of birth, death and stillbirth certificates with them of certain data shown thereon

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1 to federal, state or municipal agencies. Payment by those agencies
2 for the services may be made through the state registrar to local
3 registrars as the secretary directs.

4 (f) On or before the 20th day of each month, the state registrar
5 shall furnish to the county election officer of each county, without
6 charge, a list of deceased residents of the county who were at least
7 18 years of age and for whom death certificates have been filed in
8 the office of the state registrar during the preceding calendar month.
9 The list shall include the name, age or date of birth, address and
10 date of death of each of the deceased persons and shall be used
11 solely by the election officer for the purpose of correcting records
12 of their offices.

13 (g) No person shall prepare or issue any certificate which purports
14 to be an original, certified copy or copy of a certificate of birth,
15 death or fetal death, except as authorized in this act or rules and
16 regulations adopted under this act.

17 (h) Records of births, deaths or marriages which are not in the
18 custody of the secretary of health and environment and which were
19 created before July 1, 1911, pursuant to chapter 129 of the 1885
20 Session Laws of Kansas, and any copies of such records, shall be
21 open to inspection by any person and the provisions of this section
22 shall not apply to such records.

23 ~~(i) Except as provided in this subsection, when a certificate of
24 birth is filed pursuant to this act, each parent shall furnish the social
25 security number or numbers issued to the parent. Social security
26 numbers furnished pursuant to this subsection shall not be recorded
27 on the birth certificate. Social security numbers furnished pursuant
28 to this subsection shall only be used as permitted by title IV-D of
29 the federal social security act and amendments thereto or as per-
30 mitted by section 7(a) of the federal privacy act of 1974 and amend-
31 ments thereto. The secretary shall make social security numbers
32 furnished pursuant to this subsection available to the department of
33 social and rehabilitation services for purposes permitted under title
34 IV-D of the federal social security act.~~

Delete
K.S.A. 65-2409 and amendments thereto

35 ~~A parent shall not be required to furnish such person's social
36 security number pursuant to this subsection if no social security
37 number has been issued to the parent, the social security number
38 is unknown, or the secretary determines that good cause, as defined
39 in federal regulations promulgated pursuant to title IV-D of the
40 federal social security act, exists for not requiring the social security
41 number. Nothing in this subsection shall delay the filing or issuance
42 of the birth certificate.~~

K.S.A. 65-2409 and amendments thereto
Delete

Section 2. K.S.A. 65-2409 is hereby amended to read as follows:

65-2409.

(a) A certificate of birth for each live birth which occurs in this state shall be filed with the local registrar of the district in which the birth occurs within five days after such birth and shall be registered by such registrar if such certificate has been completed and filed in accordance with this section. If a birth occurs on a moving conveyance, a birth certificate shall be filed in the district in which the child was first removed from the conveyance.

(b) When a birth occurs in an institution, the person in charge of the institution or the person's designated representative shall obtain the personal data, prepare the certificate, secure the signatures required by the certificate and file it with the local registrar. The physician in attendance shall certify to the facts of birth and provide the medical information required by the certificate within five days after the birth. When a birth occurs outside an institution, the certificate shall be prepared and filed by one of the following in the indicated order of priority: (1) The physician in attendance at or immediately after the birth, or in the absence of such a person; (2) any other person in attendance at or immediately after the birth, or in the absence of such a person; or (3) the father, the mother or, in the absence of the father and the inability of the mother, the person in charge of the premises where the birth occurred.

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(c) If the mother was married at the time of either conception or birth, the name of the husband shall be entered on the certificate as the father of the child unless paternity has been determined otherwise by a court of competent jurisdiction, in which case the name of the father as determined by the court shall be entered. If the mother was not married either at the time of conception or of birth, the name of the father shall not be entered on the certificate of birth without the written consent of the mother and of the person to be named as the father unless a determination of paternity has been made by a court of competent jurisdiction, in which case the name of the father as determined by the court shall be entered.

(d) One of the parents of any child shall sign the certificate of live birth to attest to the accuracy of the personal data entered thereon, in time to permit its filing within the five days prescribed above.

(e) Except as otherwise provided by this subsection, a fee of \$4 shall be paid for each certificate of live birth filed with the state registrar. Such fee shall be paid by the parent or parents of the child. If a birth occurs in an institution, the person in charge of the institution or the person's designated representative shall be responsible for collecting the fee and shall remit it to the secretary of health and environment not later than the 15th day following the end of the calendar quarter during which the birth occurred. If a birth occurs other than in an institution, the local registrar shall be responsible for collecting the fee and shall remit it to the secretary of health and environment not later than the 15th day of the month following the birth.

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The fee provided for by this subsection shall not be required to be paid if the parent or parents of the child are at the time of the birth receiving assistance, as defined by K.S.A. 39-702 and amendments thereto, from the secretary of social and rehabilitation services.

(f) Except as provided in this subsection, when a certificate of birth is filed pursuant to this act, each parent shall furnish the social security number or numbers issued to the parent. Social security numbers furnished pursuant to this subsection shall not be recorded on the birth certificate.

A parent shall not be required to furnish such person's social security number pursuant to this subsection if no social security number has been issued to the parent; the social security number is unknown; or the secretary determines that good cause, as defined in federal regulations promulgated pursuant to title IV-D of the federal social security act, exists for not requiring the social security number. Nothing in this subsection shall delay the filing or issuance of the birth certificate.

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are

Sec. 2. K.S.A. 1989 Supp. 5602422 ~~is~~ hereby repealed. K.S.A. 65-2409 and

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

W-5

Family Support Act of 1988

SEC. 125. USE OF SOCIAL SECURITY NUMBER TO ESTABLISH IDENTITY OF PARENTS.

(a) DISCLOSURE OF SOCIAL SECURITY NUMBER AT TIME OF CHILD'S BIRTH.—Section 205(c)(2)(C) of the Social Security Act is amended—
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- (A) by inserting "(I)" after "(i)"; and
- (B) by adding at the end the following new subclause:

"(II) In the administration of any law involving the issuance of a birth certificate, each State shall require each parent to furnish to such State (or political subdivision thereof) or any agency thereof having administrative responsibility for the law involved, the social security account number (or numbers, if the parent has more than one such number) issued to the parent unless the State (in accordance with regulations prescribed by the Secretary) finds good cause for not requiring the furnishing of such number. The State shall make numbers furnished under this subclause available to the agency administering the State's plan under part D of title IV, in accordance with Federal or State law and regulation. Such numbers shall not be recorded on the birth certificate. A State shall not use any social security account number, obtained with respect to the issuance by the State of a birth certificate, for any purpose other than for the enforcement of child support orders in effect in the State, unless section 7(a) of the Privacy Act of 1974 does not prohibit the State from requiring the disclosure of such number, by reason of the State having adopted, before January 1, 1975, a statute or regulation requiring such disclosure."; and

who; what

good cause for not furnishing make available to IV-D agency (SRS) shall not record on birth certificate

disclosure only for child support enforcement (iv-D) or as permitted by Privacy Act

(2) in clause (ii)—

- (A) by striking "clause (i) of this subparagraph" and inserting in lieu thereof "subclause (I) of clause (i)"; and
- (B) by adding at the end the following new sentence: "If and to the extent that any such provision is inconsistent with the requirement set forth in subclause (II) of clause (i), such provision shall, on and after the date of the enactment of such subclause, be null, void, and of no effect."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall become effective on the first day of the 25th month which begins on or after the date of the enactment of this Act.

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KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
DIVISION OF INFORMATION SYSTEMS
M E M O R A N D U M
February 21, 1990

TO: Jim Robertson, Administrator and Senior Legal Counsel
Child Support Enforcement, SRS

FROM: Lorne A. Phillips, Ph.D., Director *LAP*
Division of Information Systems

SUBJECT: Fiscal Note on Proposed Legislature Dealing With collection of Social Security Numbers Through The Birth Registration Process

Below I have outlined the revised projected costs that we would incur if we must begin to collect, store and retrieve the social security number of the parents of each child born in Kansas. The only change is in the area of travel.

Office of Communications Services/Office of Vital Statistics

First Year

a.	Modifications of Supra Data Base files and Data Entry procedures. 7 man weeks.....	\$ 5,600
b.	Modifications of EBC interface to the Supra Data Base. 3 man weeks.....	2,400
c.	DISC Processing cost.....	1,000
d.	Disk Storage cost to store .5 million records.....	500
e.	NCR or EBC Development cost.....	1,875
f.	New EBC forms.....	1,052
g.	Regular Birth Certificate forms.....	1,800
h.	Typesetting for forms.....	25
i.	Birth Certificate Hospital worksheets.....	1,400
j.	Travel (to install new EBC software & train in hospitals).	<u>2,500</u>
	Total	\$18,152

Successive Years

a. DISC Processing cost..... 1,500

cc: Sandy Duncan
Jamie Corkhill
Charlene Satzler
Jim Green

Attachment I

Priority I II III

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
1990 Legislative Session
M E M O R A N D U M

Date: 2/16/90

PLEASE NOTE DEADLINES

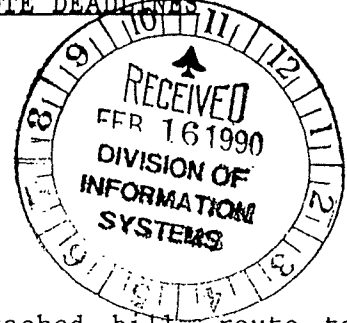
To: Charles Konigsberg
Lorne Phillips

James Power
Roger Carlson

From: Laura Epler/sm

RE: House Bill _____

Senate Bill 665



Please prepare the information indicated below for the attached bill, route to the appropriate people for review and signature, and return to me by the deadline indicated.

Bill Review/Fiscal Note

Deadline:

Testimony for presentation to Legislative Committee

Deadline: Monday, February 26

Fiscal Impact Yes ___ No ___

- | | | | | | |
|---------------|---|-----------------|-------------------------------------|---------|----------|
| 1. | _____ | Date | Support | Not | No |
| | Bureau Manager | | | Support | Position |
| 2. | <u>[Signature]</u> | <u>2/21</u> | <input checked="" type="checkbox"/> | Not | No |
| | Division Director | Date | Support | Support | Position |
| 3. | Art Schumann, Fiscal Services | Date | | | |
| 4. | Marvin Stottlemire, Legal Services | Date | | | |
| 5. | _____ | Date | | | |
| | Laura Epler, Executive Manager | | | | |
| 6. | _____ | Date | Support | Not | No |
| | David M. Traster, Assistant Secretary | | | Support | Position |
| 7. | _____ | Date | Support | Not | No |
| | Stanley C. Grant, Secretary | | | Support | Position |

Testimony presented to
Senate Ways and Means Committee

by

The Kansas Department of Health and Environment

S.B. 665

Passage of S.B. 665 would require a change to the information being collected through the birth registration process which would require changes to existing forms and software. Since the federal requirement addressed by S.B. 665 impacts on SRS federal funding, we recommend passage provided costs of revising and implementing the required changes is funded.

The necessary modifications and form changes required to implement this requirement within the Department of Health and Environment will be approximately \$18,152 with an additional annual cost of \$1,500 to maintain the system.

Testimony presented by: Dr. Lorne A. Phillips.
State Registrar and Director
Division of Information Systems

Attachment I

Priority I II III

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT
1990 Legislative Session
M E M O R A N D U M

Date: 2/16/90

PLEASE NOTE DEADLINES

To: Charles Konigsberg
Lorne Phillips

James Power
Roger Carlson

From: Laura Epler/sm

RE: House Bill _____ Senate Bill 665

Please prepare the information indicated below for the attached bill, route to the appropriate people for review and signature, and return to me by the deadline indicated.

Bill Review/Fiscal Note

Deadline: Thursday, February 22

Testimony for presentation
to Legislative Committee

Deadline:

Fiscal Impact Yes ___ No ___

		Date	Support	Not Support	No Position
1.	Bureau Manager				
2.	<u>Lorne Phillips</u> Division Director	<u>2/21</u>	<input checked="" type="checkbox"/>		
3.	Art Schumann, Fiscal Services				
4.	Marvin Stottlemire, Legal Services				
5.	Laura Epler, Executive Manager				
6.	David M. Traster, Assistant Secretary				
7.	Stanley C. Grant, Secretary				

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

BILL REVIEW/FISCAL NOTE

Bill No. S.B. 665

Date: February 19, 1990

Summary/Background

S. B. 665 would amend K.S.A. 65-2422 to require parents to furnish social security numbers when a birth certificate is filed and to require that the Department of Health and Environment disclose the social security numbers to SRS in Title IV-D cases upon request.

Program Impact

Passage of S.B. 665 would require a change to the birth certificate forms and the electronic birth certificate software.

Passage of H.B. 2756 is also critical to the implementation of this requirement as current information on the birth certificate will have to be eliminated in order to have space for the mother's and father's social security number. With passage of H.B. 2756, the local registrar's information line currently on the birth certificate can be eliminated. Since the local registrar item is the very last item on the legal portion of the birth certificate, the social security number information could be entered at that location and "cropped" prior to issuance of certified copies since the legislation requires that the social security number not be part of the birth certificate.

Recommendations

Since this is a federal mandate that impacts on SRS federal funding, we recommend support provided the costs of revising and implementing the required changes is funded.

Fiscal Impact

The necessary modifications and form changes required to implement this requirement would be approximately \$18,152 with an additional annual cost of \$1,500 to maintain the system.

TYPED RESPONSE NOT REQUIRED - PRINT LEGIBLY

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

Fiscal Note Worksheet

Bill No. 665 Abbreviated Bill Title: Collection of social security numbers through the birth certificate

Sponsor: _____

Detailed Computation of Expenditures to Implement Bill:

	FY 1990	FY 1991
Salaries and Wages by Classification		
Contractual Services (list items)		1,875
Commodities (list items)		16,277
Capital Outlay (list items)		
Aid to Local Units of Government		
TOTAL EXPENDITURES	\$ <u>-0-</u>	<u>\$18,152</u>

Detailed Computation of Revenue Impact (increase or decrease) Created by the Bill and the Funds Affected:

Other KDHE Organizational Units Affected by the Bill:



State of Kansas

Mike Hayden, Governor

Department of Health and Environment
Division of Information Systems

Landon State Office Bldg., Topeka, KS 66612-1290

(913) 296-1415
FAX (913) 296-6231

Stanley C. Grant, Ph.D., Secretary

Testimony presented to
Senate Federal and State Affairs Committee
by
The Kansas Department of Health and Environment
S.B. 665

S.B. 665 requires that parents' social security numbers be entered on birth certificate forms processed by the Department of Health and Environment Vital Statistics Program.

Passage of S.B. 665 changes the information being collected through the birth registration process which would require changes to existing forms and software. The necessary modifications and form changes required to implement this requirement within the Department of Health and Environment will be approximately \$18,152 with an additional annual cost of \$1,500 to maintain the system. Since the federal requirement addressed by S.B. 665 impacts on SRS federal funding, we recommend passage provided that the costs of revising and implementing the required changes are also funded. This fiscal impact is not included in the FY 1991 Governor's Budget Report.

Testimony presented by: Dr. Lorne A. Phillips
State Registrar and Director
Division of Information Systems
March 13, 1990

Senate F&SA
3-13-90
Att. 4

Charles Konigsberg, Jr., M.D., M.P.H.,
Director of Health
(913) 296-1343

James Power, P.E.,
Director of Environment
(913) 296-1535

Lorne Phillips, Ph.D.,
Director of Information
Systems
(913) 296-1415

Roger Carlson, Ph.D.,
Director of the Kansas Health
and Environmental Laboratory
(913) 296-1619

NORMAN J. FURSE, ATTORNEY
REVISOR OF STATUTES

ARDEN K. ENSLEY, ATTORNEY
FIRST ASSISTANT REVISOR

JAMES A. WILSON III, ATTORNEY
SENIOR ASSISTANT REVISOR

ASSISTANT REVISORS

AVIS A. SWARTZMAN, ATTORNEY
DON S. HAYWARD, ATTORNEY
MARY ANN TORRENCE, ATTORNEY
WILLIAM L. EDDS, ATTORNEY
BRUCE W. KINZIE, ATTORNEY
THERESA M. KIERNAN, ATTORNEY
GORDON L. SELF, ATTORNEY
JILL A. WOLTERS, ATTORNEY

COMPUTER INFORMATION STAFF
MARY O. CHENG, M.S.
RICHARD M. CHAMPNEY, B.S.



OFFICE OF
REVISOR OF STATUTES
STATE HOUSE, THIRD FLOOR
TOPEKA, KANSAS 66612-1592
(913) 296-2321

LEGAL CONSULTATION--LEGISLATIVE
COMMITTEES AND LEGISLATORS
LEGISLATIVE BILL DRAFTING
SECRETARY--LEGISLATIVE
COORDINATING COUNCIL
SECRETARY--KANSAS COMMISSION
ON INTERSTATE COOPERATION
KANSAS STATUTES ANNOTATED
EDITING AND PUBLICATION
LEGISLATIVE INFORMATION SYSTEM

TO: Senate Committee on Federal and State Affairs
FROM: Mary Torrence, Assistant Revisor of Statutes
DATE: March 13, 1990
RE: Minors' Age of Consent for Certain Purposes

<u>Activity or treatment</u>	<u>Age of consent</u>
VD treatment	Any age
Drug treatment	Any age
Pregnancy treatment (if parent not available)	Any age
Medical or surgical procedures (if parent not available)	16
Noncriminal sexual activity	16
Blood donation	17
Marriage	18

With regard to administration of medication by school personnel, the Department of Health and Environment has issued guidelines (not given the status of law) recommending that even over-the-counter drugs be administered only on written request of both a parent and a physician or dentist.

While statutes may prescribe an age of consent in some instances, case law has held that such statutes do not preclude valid consent at a younger age than that prescribed or consent by minors in instances not specifically authorized by statute.

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MEMORANDUM

Kansas Legislative Research Department

Room 545-N -- Statehouse
Topeka, Kansas 66612-1586
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March 14, 1990

To: Senate Committee on Federal and State Affairs

Re: Parental Consent Bills

The following information is provided in response to Senator Reilly's request for information about parental consent bills that have passed the Senate and the votes on those bills. Three bills containing provisions regarding parental consent for abortions for minor women have passed the Senate. The bills and the votes on them are: 1986 S.B. 577 (35-5); 1987 H.B. 2007 (36-4); and 1989 S.B. 91 (32-8). The 1987 bill was one into which the parental consent provisions were amended on the Senate floor. The vote on the amendment was 34-4. Subsequent to the Senate action, all of the bills died in the House.

Senator Reilly also asked who would have been required to give consent under the provisions of those bills. The definitions of parent in those bills was quite similar. The two most recent bills, as introduced, defined parents the same. The definition was:

an individual or individuals . . . includ[ing] a natural guardian, an individual conservator and every individual who is by law liable to maintain, care for or support the minor. It shall not mean a corporate body, body politic or the department of social and rehabilitation services.

The definition of parent in S.B. 91 was amended by the Senate Committee on Federal and State Affairs to include the Secretary of Social and Rehabilitation Services with regard to any child in the Secretary's custody for a period of six months or more and for whom the Secretary is authorized to give consent for other medical procedures. The Senate Committee of the Whole further amended the definition to include grandparents.

Consent to abortions for minors would have been required from one parent under both the 1989 and 1987 bills. The 1986 bill would originally have required consent from both parents, but the Senate Committee on Federal and State Affairs amended the bill to require consent of only one parent.

The 1986 and 1987 bills would have applied to women under the age of 16. The 1989 bill would have applied to women under the age of 18.

90-356/MKG

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