

Approved

1/23/90
Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

10:00 a.m./~~p.m.~~ on January 16, 1990 in room 526N of the Capitol.

All members were present except:

Committee staff present:

Bill Wolff, Legislative Research
Norman Furse, Revisors Office
Emalene Correll, Legislative Services
Sandra Nash, Committee Secretary

Conferees appearing before the committee:

The Senate Public Health and Welfare Committee was called to order with the Chairman calling for a staff briefing on SB-446.

Staff presented a briefing on SB-446 stating that this bill is the result of a two-year Commission study, defining the medically indigent as persons without health insurance, dental program or health program, and do not have the means to adequately provide one. It is estimated there are as many as 450,000 such persons in the State, with 20 percent of them being children whom for one reason or another do not qualify for other programs.

The Commission was seeking ways to provide these people with primary health care--that care which is primarily preventive in nature and which would treat conditions in the early stages before it would become serious.

The Local Health Departments are telling the Commission that they are now having people come in, seeking primary care because they can't get it from other providers. Most of the local health departments are not equipped to provide this type of care because of the lack of professionally trained staff.

This proposal is to establish a demonstration program in two locations: one in a large population county and one in a community of not more than 20,000 persons. The 20,000 was chosen because that is what the Legislature last year defined rural areas.

The Secretary will be authorized to make grants with two local health departments, one in a large area and one in a small area and enter into contracts with the local health departments for the purpose of setting up the demonstration programs. The health departments, in turn, will be authorized to enter into contracts with various organizations and persons to provide services.

Each of the demonstration programs will be required to provide primary medical care services and those are not defined in this particular bill and would probably be defined by the Secretary of Health and Environment during the grant making process, but generally would be access to physician services and perhaps some assistance with pharmacy, your traditional kinds of services that health departments provide.

The persons who are eligible to receive the services are to be medically indigent and that term will be defined by the Secretary of Health and Environment and they are to pay something towards the cost of the services they received according to a fee schedule the Secretary would outline as a sliding fee scale based on the ability to pay.

The health department that receives the grant for participation in the demonstration program will collect a fee and apply the monies collected

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 526, Statehouse, at 10:00 a.m./~~p.m.~~ on January 16, 1990

to the provision of services in the demonstration program.

The Secretary is also authorized to receive or call for grants and financial assistance from the federal government over and above the private sector.

The Secretary will be required to report to the Governor and the Legislature by December 31, 1992 and this bill will expire on December 31, 1993.

The Chairman called for questions from the Committee. There were none.

Staff presented a briefing on S.B. 433 as prepared and drafted by the Special Committee on Public Health and Welfare with regard to Proposal No. 44.

The Special Committee had concerns with respect to relicensure of people who had been licensed social workers in the state but, who for one reason or another, had let their license lapse. It was suggested that the committee members not on the interim committee might want to read Proposal No. 44.

This bill provides an amendment to the current law relating to the licensure of social workers. It provides basically two changes. The first on page 2, in line 28. It strikes "certification by the executive director" and replaces it with "application," for qualifying for a temporary social work license, basically for those who have met all qualifications for licensure except by examination.

The second change is on page 3, beginning at line 35. Currently, the law does not provide relicensure by a social worker previously licensed in the state but who has moved from the state and didn't maintain licensure, beyond one year. The Committee's change would provide that upon proof to the board and the individuals completion of 60 hours of continuing education and receipt of payment and proof, the board is directed to reinstate the license of the individual, anytime after the expiration of such license.

The Chairman called for questions from the Committee.

Sen. Hayden asked if "successful" completion. Is there any test given, a minimum score they would have to make on a closed-book or an open-book examine. Staff responded that this is for continuing education hours, there is no exam.

The Chairman called for further questions from the Committee. There were none.

Staff presented a briefing on S.B. 434 relates to Proposal No. 46 of the Special Committee on Public Health and Welfare. The proposal called for the Committee to review foster care generally within the state. S.B. 434 was prepared at the directions of the interim committee to address one of the situations that the committee heard in a number of cases and that was the ability of the foster care home, the individual providing the foster care, to obtain information relevant to the background and history of the children they were caring for. The conferees felt they hadn't been given sufficient information concerning the child before the child was to stay with them.

The Interim Committee instructed staff to consult with S.R.S. regarding this problem. The attorney for S.R.S. felt the current law was adequate to allow release of this information, release of confidential information.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 526, Statehouse, at 10:00 a.m./~~p.m.~~ on January 16, 1990

That section did not relate specifically to foster care situations. And S.R.S. has a policy as a part of their manual relating to information to be given by social workers on background of foster children to the foster parents. This information, in following the guidelines of S.R.S., would not have created the problem the interim committee was hearing. The problem, the S.R.S. staff said seemed reasonable, was that the social worker in applying their guidelines and applying state laws, were being, in some cases, perhaps restricting the information they were releasing to the foster parents. Therefore, the committee felt that the legislative statement in this regard might be helpful to all persons concerned, specifying a foster care situation and providing, basically, what is currently S.R.S. policy in a statutory term and law.

The bill defines terms: Child, Family foster home, Foster family and Secretary. And then in Sub. (b) it provides basic authority that in order to assist the foster family to make an informed decision regarding their acceptance of a particular child, to help the foster family anticipate problems which may occur during the child's placement, and to help the foster family meet the needs of the child in a constructive manner, the secretary will provide the information listed in S.B. 434

The committee was cognizant of the fact in proposing this kind of legislation also that the natural parents or the guardian of the foster child also has some constitutional protections and rights to privacy.

The Chairman called for questions from the Committee.

Sen. Reilly: As I understand it, we are engaged or soon will be, in a major study by S.R.S. of the problem of foster care. The number of children being brought into the system, is that correct?

Staff: We have some information to that effect and, also currently, that S.R.S. is engaged in legal action brought by one attorney for foster children and the American Civil Liberties Union is now also getting involved, their legal counsel is also involved in this legal action. There is on-going documentation building in review in this area.

Sen. Reilly: I thought they had just commissioned a large study be made, and they don't even have a handle on it themselves. All of these people are starting to come into the system. It's in respect to them. The reason I'm asking the question is how a decision of a committee on the proposal would fall in line now in terms of us acting on this if they indeed did commission a major study.

Staff: The major study, and I'm not sure if there has been a contract for that, doesn't really deal with this kind of issue.

Sen. Reilly: As I read some of the material I thought I was reading they were having problems placing these children because they were running out of foster care families. And the cost of it, and so on, and an article in the newspaper pointed out that a family in Lawrence was taking money out of their own pocket to take care of these children.

Staff: This particular recommendation came from foster care families who believe that it is important that they have additional information about the child in order to deal with them. The bill is to make it clear when the release of information would be in the best interest of the child and I think it should be clear that the committee didn't believe that all information should go to all foster parents. There is some information that probably should not be given to foster parents.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 526, Statehouse, at 10:00~~a.m.~~^{p.m.} on January 16, 1990

The Chairman called for further questions from the Committee. There were none.

The Chairman introduced the two pages represented by Senator Daniels: Pages Anderson and Kronister.

The Committee was adjourned at 10:40a.m. and will reconvene Wednesday, January 17, 1990, at which time testimony on S.B. 434 and S.B. 446 will be heard.

SENATE
PUBLIC HEALTH AND WELFARE COMMITTEE

DATE 1/16/90

(PLEASE PRINT)
NAME AND ADDRESS

ORGANIZATION

KEITH R LANDIS	TOPEKA	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
Bob Williams	Topeka	Ks. Pharmacists Assoc.
Carl Schmitt	Topeka	Ks. Dental Assoc.
Valerie Burkholder	BUTLER	State Leg Comm, AARP
Xavier Pyle	Topeka	"Cap. City Task Force"
Rendell Strom	Topeka	Capital City Task Force AARP
Marilyn Bradt	Lawrence	KS for Improvement of Nursing Schools
Ken Baker		KS. Assoc of Med Tech.
Gary Hullett	Topeka	Governor's Office.
Sally Vander Vilde	Topeka	SRS
GARY Robbins	"	Ks Optometric Assn
Shirley Winkham	Topeka	SRS-Medical programs
Chris Ross	Topeka	KDHE Child care
Gardner Hulce	Topeka	KDHE - Local Health
Theresa Shively	Topeka	KDHE / God's Fellows
ALAN COBB	WICHITA	Ks Society of Resp. Therapists
Charles Dodson	TOPEKA	KAPE
Chip Wheelen	Topeka	Ks Medical Society
Carl Myers	Topeka	Ks National association of Social Workers