

Approved 2-14-91
Date

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Representative Herman G. Dillon at
Chairperson

1:35 ~~am~~/p.m. on February 6, 1991 in room 519-S of the Capitol.

All members were present except:

- Representative Darrel Webb - Excused
- Representative Eugene Shore - Excused
- Representative Delbert Gross - Excused

Committee staff present:

- Hank Avila - Legislative Research
- Bruce Kinzie - Revisor of Statutes
- Jo Copeland - Committee Secretary

Conferees appearing before the committee:

- Bertie Reimschisel, A Chiropractic Patient
- Joe Furjanic, Executive Director of the Kansas Chiropractic Assoc.
- Dr. Tim Bolz, DC PA
- Ray Petty

Chairman Dillon introduced Joe Furjanic who testified in support of HB 2060. Mr. Furjanic stated that presently K.S.A. 8-1, 124 permits only doctors of medicine and surgery to authorize handicapped parking permits. HB 2060 would include chiropractic physicians to also authorize handicapped parking permits. (Attachment 1)

Mr. Furjanic introduced Bertie Reimschisel, a chiropractic patient who testified in support of HB 2060. (Attachment 2)

Discussion and questions followed.

Chairman Dillon introduced Dr. Tim Bolz, a Topeka Chiropractor who testified in support of HB 2060.

Discussion and questions followed.

Chairman Dillon introduced Ray Petty who testified in support of HB 2060 and to amend title of Handicapped Person to Person with a Disability and Handicapped Parking to Accessible Parking.

The hearing on HB 2060 ended.

Adjourned at 2:54.



Kansas Chiropractic

ASSOCIATION

TESTIMONY OF JOE FURJANIC, EXECUTIVE DIRECTOR
OF THE KANSAS CHIROPRACTIC ASSOCIATION
BEFORE THE HOUSE COMMITTEE ON TRANSPORTATION
IN SUPPORT OF HOUSE BILL NO. 2060

February 6, 1991

Thank you, Mr. Chairman and members of the Committee. My name is Joe Furjanic. Last August, I was named Executive Director of the Kansas Chiropractic Association. Prior to being hired by K.C.A., I was disciplinary attorney with the Kansas State Board of Healing Arts. I am here today in support of House Bill No. 2060.

Presently, K.S.A. 8-1,124 permits only doctors of medicine and surgery to authorize handicapped parking permits. I can only suppose that when this law was enacted, it was purely an oversight to exclude chiropractic physicians from being able to assist their handicapped patients in this way.

Attached to my testimony is a letter from Dr. Lee Ann Stamm of Lenexa. You can see from her letter her sense of frustration in dealing with the state bureaucracy. She was sent a copy of the proper form by the Kansas Department of Revenue with the note at the bottom indicating that chiropractors could not issue such permits.

This bill will be simple to implement and K.C.A.'s membership is strongly in favor of its passage. I urge the passage of House Bill 2060.

To give a little different perspective on this bill, Bertie Reimschisel, a chiropractic patient, and Dr. Tim Bolz, a Topeka chiropractor, shall speak in support of this bill.

Thank you for your attention. I would be happy to answer any questions.

*House Transportation
2-6-91
Attachment 1*

Back to Health Chiropractic Center

8630 Quivira Road
Lenexa, Kansas 66215

Dr. Lee Ann Stamm, D.C.
(913) 492-0991

January 18, 1991

Steve Dickson
Dickson and Pope
700 Jackson
Jayhawk Tower Building
Roof Garden Suite
Topeka, Kansas 66603

Dear Steve:

I recently had a patient who desired a handicapped parking sticker due to her disabilities and the fact that she was attending school. Parking at our local college can be very bad. I tried repeatedly to have motor vehicles and several different offices in Topeka send me the statute which governed designating handicapped privileges. I never did find someone to define the statutes so I completed the form stating all stipulations regarding her problems.

I thought it would be possible that this patient might be turned down on the basis of my report, since I did not know exactly what was necessary. I never dreamed she would be turned down because I didn't fit their definition of physician.

I am enclosing the form which was sent back to me for your review.

Sincerely,

Dr. Lee Ann Stamm

Dr. Lee Ann Stamm, D. C.





KANSAS DEPARTMENT OF REVENUE

ST

10/15/90

ASHLEY NINA
6106 HALSEY
SHAWNEE , KS 66216

TRNS-ID 1061009009130092
MODEL YEAR

THE DIVISION OF VEHICLES HAS RECEIVED YOUR RECENT REQUEST FOR WHEELCHAIR PLATE, HANDICAP PLACARD AND/OR HANDICAP CARD. THE PROCESSING OF THAT REQUEST CANNOT BE COMPLETED UNTIL THE FOLLOWING ADDITIONAL INFORMATION IS PROVIDED:

THE PHYSICIAN'S STATEMENT ORIGINALLY RECEIVED WAS NOT PROPERLY COMPLETED. THE STATEMENT BELOW NEEDS TO BE FULLY COMPLETED AND SIGNED BY THE PHYSICIAN. RETURN THE STATEMENT IN THE ENVELOPE PROVIDED.

I, THE UNDERSIGNED PHYSICIAN, CERTIFY THAT THE PATIENT DESCRIBED BELOW IS CONSIDERED TO BE HANDICAPPED PER KANSAS STATUTE 8-1,124, WHICH STATES, IN PART, "ANY INDIVIDUAL WITH A SEVERE VISUAL OR OR PHYSICAL IMPAIRMENT OR CONDITION, WHICH SUCH IMPAIRMENT OR CONDITION LIMITS SUCH PERSON'S WAKING ABILITY AND RESULTS IN AN INABILITY TO TRAVEL, UNASSISTED, MORE THAN 200 FEET, WITHOUT THE USE OF A WHEELCHAIR, CRUTCH, WALKER, PROSTHETIC, ORTHOTIC OR OTHER ASSISTIVE DEVICE," THUS QUALIFYING FOR HANDICAPPED PARKING PRIVILEGES.

HANDICAP HAS BEEN DIAGNOSED PERTAINING TO THIS APPLICATION AS:

() PERMANENT-----*() TEMPORARY

*IF TEMPORARY, INDICATE WHICH MONTHS HANDICAP WILL ENCOMPASS. FROM (DATE) _____ TO (DATE)-_____

PATIENT NAME _____

PHYSICIAN'S SIGNATURE (RUBBER STAMP NOT ACCEPTABLE) _____ DATE _____

ADDRESS _____

CITY _____, KANSAS ZIP _____ TELEPHONE: _____

**** KSA 8-1,124 DEFINITION OF A PHYSICIAN IS "A PERSON LICENSED TO PRACTICE MEDICINE AND SURGERY IN THIS STATE".

TESTIMONY OF BERTIE REIMSCHISEL
BEFORE THE HOUSE TRANSPORTATION COMMITTEE
February 6, 1991

Good day everyone. My name is Bertie Reimschisel. It is spelled just like it sounds. But I have provided everyone with written copies of my testimony in case you need to check that spelling. I am pleased to be here today to testify in support of House Bill 2060.

Some of you can judge my qualifications to speak on this issue from my physical appearance. But perhaps I should tell you a little bit about myself. I contracted polio at the ripe old age of 2 years old. Polio is a disease which in my case has affected the development of the structural support of my body. I have had 13 surgeries since 1980. While I prefer to think of these things as minor difficulties that I need to deal with in my life, since we are here to discuss what is known as "handicapped" parking permits, we can refer to me as "handicapped."

For quite some time now I have been under the care of a chiropractic physician, Dr. Terry Farney. I am very proud of my primary care physician. Dr. Farney has served in many capacities and in many offices of the Kansas Chiropractic Association. He currently serves as Vice President of that association. As my primary care physician, there is nothing Dr. Farney can not or does not do. He gives me appropriate treatment and therapy. He examines me when necessary. He keeps appropriate records of my condition. He refers me to specialists when necessary. He does these things just like any other primary care physician.

Under current state law, there was one thing he could not do. He could not obtain a handicapped parking permit for me simply because of a quirk in the law. Because of that law, I had to go to a medical doctor and pay an extra fee to get the handicapped parking permit.

Now it might be difficult for some people in this room to tell that I am handicapped. But I suspect that if the people in this room were asked whether or not I should be granted a handicapped parking permit there wouldn't be anyone here who would deny me that privilege. But the way the law is currently written, my own treating physician is not allowed to make that judgment. I submit to you that any licensed chiropractic physician in the state of Kansas is well qualified to make that decision.

You see I know a little bit more about chiropractors than most people. My work history since 1981 has been that of an office manager and insurance clerk for Dr. Farney. In that capacity, I have learned about chiropractors and the training and education that is required of them. And in that work capacity as well as in my current physical condition I have learned a lot about other "handicapped" people as well.

Dr. Farney treats disabled patients every day in his office. Dozens and dozens of them. Day in and day out. Week after week, month after month, year after year. Handicaps and disabilities are not something that Dr. Farney is unfamiliar with. And of all of those handicapped or disabled people who are treated by Dr. Farney at least one or two per month request a handicapped parking permit.

There is always at least one per month who wants that service. I am sure you won't be surprised to learn that those patients are usually referred to me for information on how to go about getting that parking permit. Unfortunately, right now I still have to tell them that they have to go to a medical doctor whether they want to or not and pay the medical doctor, whether they want to or not in order to get that permit.

The current state of the law is discriminatory toward chiropractic physicians, their patients and handicapped people in general. I urge you to change that by passing this bill.

The present system is not cost efficient. If I am satisfied with the cost effective treatment of my chiropractor, I still must spend more money with another physician in order to get something to which I am clearly entitled. I should not have to spend that money. Neither should anyone else. These additional dollars that are being spent might be examination dollars or x-ray dollars or simply office visit dollars. But they are dollars which many handicapped people cannot afford and should not be required to spend.

I urge you in the strongest terms possible to correct this situation. There will be no budgetary impact to the state of Kansas by passing this bill. There will be budget relief for many individual Kansans.

I will stand for questions.