

Approved 2-27-91
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 February 19, 1991 in room 526-S of the Capitol.

All members were present except:

Committee staff present:

- Emalene Correll, Legislative Research
 - Bill Wolff, Legislative Research
 - Norman Furse, Revisor's Office
 - Jo Ann Buntten, Committee Secretary
- Conferees appearing before the committee:

- Eilene Koutelas, Water District No. 1, Johnson County
- Chris Wilson, Director of Governmental Relations, Kansas Fertilizer Assn.
- Karl W. Mueldener, Director, Bureau of Water, Dept. of Health & Environment
- Mary Ann Gabel, Executive Director, Behavioral Sciences Regulatory Board
- Senator Gerald Karr
- John Peterson, Kansas Association of Professional Psychologists

Chairman Ehrlich called the meeting to order at 10:00 a.m. and announced the minutes for February 13 and 14, 1991, were distributed to the committee for review.

Hearing on:

SB 157 - Prohibiting certain acts relating to the operation of public water supply systems.

Eileen Koutelas, representing Water District No. 1 of Johnson County, presented written testimony and appeared in support of SB 157 stating the bill would strengthen existing laws that protect the public water supply, especially against backflow contamination through lawn irrigation systems and bulk chemical application tanks. (Attachment 1) Dan Grover, Cross Connection Manager, Water District No. 1, Johnson County, was called upon to answer questions from the committee regarding the bill.

Chris Wilson, Director of KFCA submitted written testimony and appeared in support of SB 157 stating members of her organization indicated their local water supply systems required backsiphonage prevention devices, not only for bulk chemical application use, but for all industrial users, and was surprised this type of proposed legislation was not already law. (Attachment 2)

Karl W. Mueldener of the Department of Health and Environment presented written testimony and appeared in support of SB 157 stating this bill would prohibit the use of lawn watering systems connected to public water supplies for application of pesticides or other chemicals, and is directly related to the controversy which arose in 1990 regarding the implementation of the cross connection program in Johnson County. The water suppliers would benefit from this legislation in that it provides a statutory justification for implementing these programs. The bill would also provide KDHE with additional authority in this area. (Attachment 3) Specific

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE,

room 526-S, Statehouse, at 10:00 a.m./~~p.m.~~ on February 19, 1991

language in the bill regarding subsection (j) pertaining to backsiphonage, definition of "lawn irrigation system," enforcement with local water district and clarification of the bill were discussed by the committee.

Senator Hayden suggested the wording "proper device" be inserted after "air gap" on page 2, line 29 of the bill.

Hearing on:

SB 163 - Membership on behavioral sciences regulatory board.

Mary Ann Gabel, Executive Director, Behavioral Sciences Regulatory Board, submitted written testimony and appeared before the committee stating the board neither supports nor opposes SB 163. She expressed her purpose for appearing before the committee was to call attention to the fiscal note on the bill, estimated at \$10,033 and does not include additional clerical time, increased board meeting and work time necessary to fill the void of the two abolished advisory committees. The bill amends the statutes of the professional counselor registration act, the registered masters level psychologists registration act and the Behavioral Sciences Regulatory Board. (Attachment 4) The post audit report was also requested by Senator Salisbury.

Senator Gerald Karr, sponsor of the bill, presented written testimony and appeared in support of SB 163 stating his concern in introducing this piece of legislation was to provide representation on the board for the registered professional counselors and the registered masters level psychologists. The current board would be expanded by two members, thus retaining the current makeup of two licensed psychologists, two licensed social workers and three members representing the general public. (Attachment 5) Senator Karr stated he is willing to work with Mary Ann Gabel, (BSRB), and others representing different disciplines to find a way to reconstitute the board in a manner that will provide representation for all the entities involved.

John Peterson, representing both the Kansas Association of Professional Psychologists and the Kansas Psychological Association, submitted written testimony on SB 163 stating he would support SB 163 if the bill would be modified to provide for a board of three licensed psychologists, three licensed social workers, one RMLP, one professional counselor and one general public member. (Attachment 6) Senator Walker stated if there were no opponents to the bill, why change it.

After committee discussion, the meeting was adjourned at 11:00 a.m.

SENATE
PUBLIC HEALTH AND WELFARE COMMITTEE
DATE 2-19-91

(PLEASE PRINT)
NAME AND ADDRESS

ORGANIZATION

Ralph Gelvin

KDHE

Karl Muehdener

"

DAN COOVER

WATER DIST NO 1 of JO. CO

Chris Wilson

Ks Fertilizer & Chemical Ass'n
League of Kansas
Municipalities

Paula L. Frenksen

MaryAnn Gabel - Topeka

BSRB

JAN BUEKER - TOPEKA

K-NASW

Gary Selig

K-NASW

Eileen Koutelas

W.D. 1st Jo. Co.

K. Bah

Assn of Prof. Psychologists

John Chilton

Ks Assn Prof Psychologist

Paul M. [unclear]

Assoc. of CMHCs, Inc.

Jerry [unclear]

Ks. Senate

WATER DISTRICT NO. 1 OF JOHNSON COUNTY



5930 Beverly — Mission, Kansas 66202
Mailing Address: P.O. Box 2921, Mission, Kansas 66201

Tel. (913) 722-3000
FAX (913) 262-0375

**TESTIMONY PRESENTED TO
SENATE COMMITTEE ON PUBLIC HEALTH & WELFARE
BY
WATER DISTRICT NO. 1 OF JOHNSON COUNTY
SENATE BILL 157**

Good Morning Mr. Chairman, members of the committee. My name is Eileen Koutelas and I represent Water District No. 1 of Johnson County in support of SB 157. Our utility serves 17 cities and approximately 250,000 individuals throughout Johnson County.

We believe SB 157 strengthens existing laws that protect the public water supply. Specifically, it provides greater protection to public water supply systems against backflow contamination through lawn irrigation systems and bulk chemical application tanks.

Technology now makes it possible for chemicals, fertilizers and pesticides to be applied directly to lawns through lawn irrigation systems. While these practices offer the promise of increased convenience for consumers, they also create a real and significant threat to the public water supply because of the increased risk of backflow contamination.

In the interest of public safety, SB 157 seeks to prohibit the application of chemicals, fertilizers, and pesticides through lawn irrigation systems, **except** where the public water supply system has a KDHE approved program for the detection and elimination of cross connection, backflow and backsiphonage.

Where such programs exist, application of chemicals through the lawn irrigation system could be allowed, subject to the inspection and approval of the local water supplier. Such approval would depend on the use of the appropriate backflow prevention device or air gap to isolate the irrigation system from the public water supply.

The above requirements would also hold true for bulk chemical application tanks. These tanks would be prohibited from using the public water supply as a make-up source of water, **except** where a KDHE approved backflow prevention and cross connection control program exists.

SB 157 would benefit our water utility by:

- o Providing consistency in the interpretation of plumbing codes that may vary from city to city throughout the state.
- o Allowing the water utility to require a less expensive backflow prevention device for the majority of customers who have no intention of applying chemicals to their lawn through the irrigation system.

Thank you for the opportunity to appear before you. I will be happy to answer any questions you have or will direct them to Dan Grover, our Cross Connection Control Manager.

submitted by: Eileen Koutelas
Director of Community Relations
Water District No. 1 of Johnson County

2-19-91



KANSAS FERTILIZER AND CHEMICAL ASSOCIATION, INC.

816 S.W. Tyler St. P.O. Box 1517 A/C 913-234-0463 Topeka, Kansas 66601-1517

STATEMENT OF THE
KANSAS FERTILIZER AND CHEMICAL ASSOCIATION
TO THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE
SENATOR ROY EHRLICH, CHAIRPERSON

REGARDING S.B. 157

FEBRUARY 19, 1991

Mr. Chairman and Members of the Committee, I am Chris Wilson, Director of Governmental Relations of the Kansas Fertilizer and Chemical Association (KFCA). KFCA is the professional and educational association of the agricultural chemical industry in Kansas. Our approximately 550 members are involved in the retail, distribution, manufacture and application of ag chemicals.

We appreciate the opportunity to comment in support of S.B. 157, which requires public water supply systems to adopt programs to prevent backflow, in order for the use of public water as a source of make-up water for bulk chemical application tanks. When Karl Mueldener of KDHE informed me about the development of this legislation, I visited with numerous KFCA members about it. I was surprised to learn how many of them use public water supply systems as a source of water. Each person I visited with already had a backsiphonage prevention device or air gap in place to

Senate P H&W
Attachment#2
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prevent backflow. Also, they all indicated that they do not place any chemicals in the tank until they reach the field, so that chemicals are not present in the tank when they fill it with water from the public water source. When I told our members about this bill, they were surprised that this was not already law.

In many cases, members said that their local water supply systems required backsiphonage prevention devices not only for bulk chemical application use, but for all industrial users. The reduced pressure valves they have purchased to meet this requirement presently cost between \$800 and \$1100.

We feel this is just good, common sense legislation and is a good precautionary measure. We support S.B. 157.

Thank you for this opportunity to comment. I will be glad to respond to any questions you may have.

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Testimony presented to
Senate Committee on Public Health and Welfare
by
The Kansas Department of Health and Environment
Senate Bill 157

The Department of Health & Environment supports S.B. 157. The term cross connection describes a connection between a drinking water system and a potential source of contamination. Cross connections represent a threat to the quality of the public water supply and the consumer's well being. Cross connections can be as simple as a hose lying in the sink, or more complex, or hidden within industrial installations, hospitals, boiler feed systems, and high rise buildings.

Last summer controversy arose in Johnson County concerning cross connections from residential lawn irrigation systems. The concern arose over the possible injection of fertilizer and pesticides into residential irrigation systems, and the resultant threat to users of the public water supply. To guard against potential high risk to the water supply from chemical injection, the local water utility required a complex, expensive, and proper device be installed with home irrigation systems. This device is considerably more expensive and difficult to install than other cross connection devices accepted for use when chemical injection is not anticipated. In other words, to guard against the potential of residential chemigation, home lawn sprinkler systems were being required to install an expensive backflow prevention device. The costs, management problems, and controversy associated with the high cost backflow device caused the utility to re-examine their proposed method of protecting against possible chemical injection. The local utility, in concurrence with the State, concluded it would be more practical to prohibit the practice of residential chemigation thereby reducing the need for the more expensive devices on all home irrigation systems.

The bill would also prohibit the direct connection of public water supplies and bulk chemical tanks. This provision was added because of the Department's concern with backflow from the filling of mobile chemical tanks, or spray systems. Occasionally, we discover a chemical spray truck filling its large tank directly from a fire hydrant, without a backflow prevention device. Due to concentrated chemicals, and the large diameter direct connection to the water supply, we believe these potential connections need to be specifically prohibited. If such a connection is found, the local

utility might take action under the appropriate local ordinance, if any. Health & Environment's administrative response to such a cross connection is generally limited to action against the public water supply, not the person making the cross connection. This bill would specifically prohibit the practice under State law, thereby clearly stating that the practice shall be prohibited, and also allowing State administrative action as appropriate.

KDHE discussed this issue with the State Board of Agriculture, Plant Health Division, which administers the State chemigation law. We are aware of no conflicts with the State chemigation law since it excludes lawn irrigation systems.

Testimony presented by: Karl W. Mueldener
Director, Bureau of Water
Division of Environment
February 19, 1991

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

BILL REVIEW/FISCAL NOTE

Bill No: 0157

Date:

Current Status: House of Origin

Summary/Background: This bill would prohibit the use of lawn watering systems connected to public water supplies for application of pesticides or other chemicals and the use of public water supplies for filling bulk application tanks. These acts would be permitted only if the public water supply has a program for control of cross-connection and back siphonage.

This bill is directly related to the controversy which arose in the summer and fall of 1990 related to the implementation of cross connection program in Johnson County. The water suppliers will benefit from this legislation in that it provides a statutory justification for implementing these types of program. In addition, this bill provides KDHE will addition authority in this area and perhaps clarifies this issue.

Program Impact:

The program impact of this bill will be to add to the statutory authority of the secretary. There will be benefit to the Public Water Supply program.

Recommendations:

The agency should support this bill.

Fiscal Impact:

No fiscal impact.

C. ROBERT BORRESEN, Ph.D., *Chairman*
 MARY ANN GABEL, *Executive Director*



Landon State Office Building
 900 S.W. Jackson, Room 855-S
 Topeka, Kansas 66612-1220
 913/296-3240

BOARD MEMBERS:
Public Members
 SUE BAUMAN
 KAREN GNEFKOW
 JOSEPH N. ROBB

Psychology
 C. ROBERT BORRESEN, Ph.D.
 DONALD J. FORT, Ph.D.

Social Work
 CLARICE HARRIS, MSW
 SHARON T. RUSSELL, MSW

BEHAVIORAL SCIENCES REGULATORY BOARD

LICENSED PROFESSIONALS:
Psychologists
Social Workers

REGISTERED PROFESSIONALS:
Master Level Psychologists
Professional Counselors

TESTIMONY BEFORE THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

S.B. 163

Tuesday, February 19, 1991

CHAIRPERSON EHRLICH, VICE-CHAIRPERSON LANGWORTHY, AND COMMITTEE MEMBERS:

I am Mary Ann Gabel, Executive Director of the Behavioral Sciences Regulatory Board, appearing before you today on behalf of the board. The board neither supports nor opposes S.B. 163. My purpose in appearing before your committee is to provide you with information on the fiscal impact to the board should this legislation be enacted.

The bill amends the statutes of the professional counselor registration act, the registered masters level psychologists (RMLP) registration act, and the Behavioral Sciences Regulatory Board. The bill:

- 1) reinstates the Registered Professional Counselor Advisory Committee as of July 1, 1991, and subsequently abolishes the committee, effective July 1, 1992;
- 2) abolishes the RMLP Advisory Committee, effective July 1, 1992; and
- 3) adds two members to the Behavioral Sciences Regulatory Board, effective July 1, 1991.

The statutory amendments effect the board's budget and fee fund beginning fiscal year 1992. The expenditure increase is estimated at \$10,033, which does not include additional clerical time and increased board meeting work time necessary to fill the void of the two abolished advisory committees. The estimated expense includes duplication, postage, salary, travel and subsistence, and miscellaneous communication costs and is reflected in the attached recap sheet.

Any increase in the board's expenses without an offsetting revenue source, such as is available when adding a regulated group, greatly jeopardizes the board's ability to function in the area of investigating complaints.

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At its February 1, 1991 meeting, the board was advised by the Attorney General's Office that the board would need to bear the burden, which includes the cost, of investigating its own complaints so that any case sent to the litigation division of the Attorney General's Office would be ready to prosecute.

In each of the board's budget documents for the past several years, it has consistently requested approval for expenditures for a private investigator. A \$5,000 expenditure was approved by the legislature as recently as approximately two years ago; however, the board found it was experiencing cash flow problems last year and felt it fiscally irresponsible to use the approved allocation. The board increased its licensure/registration fees in November, 1990. The increase was intended to address the board's inadequate fee fund balance to enable it to address the necessary budget expenses, including funding for a private investigator. As new groups to be regulated are presented to the board, the proposed regulatory fees assessed to these groups attempt to reflect all costs associated with their regulation, including complaint investigations.

It is also important to note that HB 2017 passed the House and has been assigned to your committee. This legislation requires the board to register Marriage and Family Therapists, effective July 1, 1991. It seems only reasonable to expect that a representative from the registered Marriage and Family Therapy group would also be added to the board, along with a representative from any other group recognized by the legislature to be regulated by the board; thus, **increasing the board expense** by an even greater amount.

The estimated increased expenditure could be offset by substituting the two proposed new positions for two existing public consumer positions; thus, retaining the same total number of positions by "trading dollars for dollars." One public consumer position would remain, which would be consistent with the majority of other regulatory boards. A breakdown of board member representation on 13 regulatory boards is attached for your information.

SB 163, as written, can be implemented by the board; however, the cost to do so and the effect on the board's fee fund, which is precariously low at this time, will jeopardize other necessary allocated expenditures.

Thank you for allowing me an opportunity to appear before you today. I will be happy to attempt to answer any questions you may have.

Attachments

S.B. 163 IMPLEMENTATION ESTIMATES

<u>Obj. Code</u>	<u>Category</u>	<u>Amount</u>
100	Salaries and Wages (does not include increased clerical & board member work time)	\$ 1,297
200	Communication	364
220	Duplication	648
250	Travel and Subsistence	<u>7,724</u>
	TOTAL ESTIMATED COST	<u>\$10,033</u>

BREADKDOWN BY OBJECT CODE

100 Salaries and Wages

17 average number of meeting days	
<u>x 2</u> additional members	
34 days @ \$35 =	1,190
FICA	91
WCI	14
UCI	<u>2</u>
TOTAL	\$ 1,297

200 Communication

Additional postage - board meetings	56 x 2 =	112
Additional postage - special meetings	21 x 2 =	42
Statute/Rules and Regulations Book	5 x 2 =	10
Misc. phone and postage		<u>200</u>
		\$ 364

220 Duplication

Statute/Rules and Regulations Book	
460 pages @ \$.025 per page = \$11.50 x 2 =	23
Board meeting material for 6 regular meetings	
1,500 pages x 6 x 2 additional members =	
18,000 copies @ \$.025 =	450
Special meetings - complaints for 7 meetings	
500 pages x 7 x 2 additional members =	
7,000 copies @ \$.025 =	<u>175</u>
	\$ 648

250 Travel and Subsistence

Residency locations used for two new board member appointments
are Hays & Wichita

9 meetings Topeka - mileage	\$ 1,908
3 meetings Wichita - mileage	249
1 meeting Overland Park - mileage	267

Subsistence:

9 meetings Topeka 2 members x 12 days @ 80 =	1,920
3 meetings Wichita 1 member x 12 days @ 80 =	960
1 meeting Overland 2 members x 2 days @ 80 =	320

Misc. (tolls, parking, etc.)	100
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Out-of-state national meetings 2 @ 1,000 =	<u>2,000</u>
	\$ 7,724

NAME OF BOARD	# BOARD MEMBERS	NUMBER & TYPE OF BOARD MEMBERS		PERCENT PUBLIC CONSUMERS ON BOARD
		<u>Professionals</u>	<u>Public</u>	
Abstractors Board	3	3 abstractors	0	0
Accountancy	7	5 CPAs 1 LMPA	1	14
Barber Examiners	5	4 barbers	1	20
Behavioral Sciences	7	2 psychologists 2 social workers	3	43
Cosmetology Board	5	4 cosmetologists	1	20
Dental Board	5	3 dentists 1 hygienist	1	20
Healing Arts	15	5 M.D.s 3 osteopathic doctors 3 chiropractors 1 podiatrist	3	20
Hearing Aid Dispensers	5	3 (5 yrs. exp.)	2	40

NAME OF BOARD	# BOARD MEMBERS	NUMBER & TYPE OF BOARD MEMBERS		PERCENT PUBLIC CONSUMERS ON BOARD
		<u>Professionals</u>	<u>Public</u>	
Mortuary Arts	5	3 embalmers (5 yrs. exp.)	2	40
Nursing Board	11	5 RNs 2 LPNs 2 LMHTs	2	18
Optometry Board	4	3 optometrists	1	25
Pharmacy Board	6	5 pharmacists	1	17
Veterinary Examiners	5	4 veterinarians	1	20

Range - percent of public consumers on boards: 0% - 43%. Behavioral Sciences Regulatory Board has the greatest percentage of public consumers with 43%.

Average percent of public consumers: 21.31%

Distribution: 1 - 0%
1 - 14%
1 - 17%
1 - 18%
5 - 20%
1 - 25%
2 - 40%
1 - 43%

BEHAVIORAL SCIENCES REGULATORY BOARD
900 Jackson, Room 855-S
Topeka, Kansas 66612-1220
913/296-3240

M E M O R A N D U M

TO: Cindy Gilpin, Budget Analyst, Division of the Budget
FROM: Mary Ann Gabel, Executive Director
DATE: February 18, 1991
RE: SB 163 - An Act Concerning the Behavioral Sciences
Regulatory Board Relating to Advisory Committees and
Membership on the Board

I am responding to the request from Acting Budget Director Gary Stotts for an analysis of and the fiscal impact to the Behavioral Sciences Regulatory Board on SB 163.

ANALYSIS

S.B. 163 amends the registered professional counselor, the registered masters level psychology and the Behavioral Sciences Regulatory Board statutes. The bill:

- 1) reinstates the Registered Professional Counselor Advisory Committee as of July 1, 1991, and subsequently abolishes the committee, effective July 1, 1992;
- 2) abolishes the RMLP Advisory Committee, effective July 1, 1992; and
- 3) adds two members to the Behavioral Sciences Regulatory Board, effective July 1, 1991.

The statutory provisions for the Registered Professional Counselor Advisory Committee expired on July 1, 1989. The board contracts with three members of the original committee (all of whom are registered professional counselors) to continue their work to assist the board in reviewing applications, reviewing rules and regulations, reviewing complaints involving professional counselors, and formulating policy that is presented in the form of recommendations for the board's consideration and subsequent adoption.

The current statute provides for a Registered Masters Level Psychology Advisory Committee that is not time limited. This advisory committee performs all the same functions as noted in the duties described in the professional counselor advisory committee.

The board is currently composed of seven members, two of whom are licensed psychologists, two of whom are licensed social workers, and three of whom are representatives of the general public.

SB 163 statutorily reinstates the Registered Professional Counselor Advisory Committee; however, abolishes both this advisory committee and that of the RMLP Advisory Committee on July 1, 1992.

SB 163 also increases the board from seven to nine members by adding one representative from the Registered Professional Counselor regulated group and one representative from the RMLP regulated group. The statutory amendments are proposed with an effective date of July 1, 1991 (from and after publication in the statute book.)

The continuance of the advisory committees and the addition of two board members overlap during FY'92.

EFFECT ON THE BOARD'S OPERATION

Should SB 163 be enacted, the work performed by both advisory committees would need to be absorbed by the board after July 1, 1992 (FY'93) and as a conservative estimate, would increase the board's work and time spent in meetings by at least six-to-eight days each fiscal year. Therefore, any cost savings in abolishing the advisory committees is offset by the increased work and time spent, plus associated subsistence, travel, and per diem, and is difficult to estimate since it involves both clerical and miscellaneous expenses such as, but not limited to, duplication, postage, and communication. One and one-half clerical staff employees currently spend at least three days preparing for each board meeting, which does not include all the duplicating of materials that occurs during the interium period.

Any increase in the board's expenses without an offsetting revenue source, such as is available when adding a regulated group, greatly jeopardizes the board's ability to function in the area of investigating complaints. At its February 1, 1991 meeting, the board was advised by the Attorney General's Office that the board would need to bear the burden, which includes the cost, of investigating its own complaints so that any case sent to the litigation division of

the Attorney General's Office would need to be ready to prosecute. You will note in each of the board's budget requests for the past several years, it has consistently requested funding for a private investigator. The funding was approved by the legislature as recently as approximately two years ago; however, the board found it was experiencing a cash flow problem last year and was unable to pay an investigator. The board increased its licensure/registration fees in November, 1990. The increase was intended to address the necessary budget expenses, including funding for a private investigator. As new groups to be regulated are presented, the proposed regulatory fees assessed to these groups reflect all costs associated with their regulation, including complaint investigations.

It is also important to note that HB 2017 passed the House and has been assigned to the Senate Public Health and Welfare Committee. This legislation requires the board to register Marriage and Family Therapists. It seems only reasonable to expect that a representative from the registered Marriage and Family Therapy group would also be added to the board; thus, increasing the expense by an even greater amount.

DOLLAR EFFECT ON THE BOARD'S BUDGET

The board estimates at least a \$10,033 expenditure increase in FY'92 to implement SB 163. This estimate does not include additional clerical time. During FY'93 and subsequent years, it will be necessary to increase board meeting work time to fill the void of the two abolished advisory committees. The estimate for FY'92 includes duplication, postage, salary, travel and subsistence, and miscellaneous communication costs and is reflected in the attached recap sheet.

The estimated increased expenditure could be offset by substituting the two proposed new positions for two existing public consumer positions; thus, retaining the same total number of positions by "trading dollars for dollars." One public consumer position would remain, which would be consistent with the majority of other regulatory boards. A breakdown of board member representation on 13 regulatory boards is attached for your information.

IMPLEMENTATION OF THE PROVISIONS

SB 163, as written, can be implemented by the board; however, the cost to do so and the effect on the board's fee fund, which is precariously low at this time, will jeopardize other necessary allocated expenditures.

If you have any questions regarding this proposed legislation, please contact me. Hearings on this bill are scheduled by the Senate Public Health and Welfare Committee for Tuesday, February 19, 1991.

Attachments

cc: Sen. Jerry Karr w/attachments
BSRB Members w/attachments
Mark Stafford, Assistant Attorney General w/attachments

**STATEMENT BY SENATOR GERALD "JERRY" KARR
BEFORE THE SENATE PUBLIC HEALTH & HEALTH WELFARE COMMITTEE
CONCERNING SENATE BILL 163
AN ACT CONCERNING THE BEHAVIORAL SCIENCE REGULATORY BOARD
RELATING TO THE ADVISORY COMMITTEES AND MEMBERSHIP ON THE BOARD
FEBRUARY 19, 1991**

Thank you, Mr. Chairman, for the opportunity to appear before your committee and introduce Senate Bill 163. My concern in introducing this piece of legislation was to provide representation on the board for the registered professional counselors and the registered masters level psychologists. The current board would be expanded by two members, thus retaining the current makeup of two licensed psychologists, two licensed social workers and three members representing the general public. By adding the two new members, they then would be able to provide a policy framework for the board as they look at overall licensing and regulation of individuals controlled by the Behavioral Science Board. I am recommending in this bill to place the advisory committees of both the counselors and the master level psychologists in a uniform manner within the board, and then allow both to be abolished after July 1, 1992. Of course, I recognize that the board could continue to maintain an advisory board outside the statutes to assist in reviewing special problems in a given area.

I am certainly willing to work with the Executive Secretary of the board and others representing different disciplines to find a way to reconstitute the board in a manner that will provide representation for all the entities involved.

Thank you and I will be glad to answer any questions.

Senate P H&W
Attachment #5
2-19-91

Testimony of John Peterson

Senate Committee on Public Health & Welfare

February 19, 1991

1991 Senate Bill 163

Mr. Chairman and Members of the Committee:

My name is John Peterson and I am appearing today on behalf of both the Kansas Association of Professional Psychologists and the Kansas Psychological Association. The Kansas Association of Professional Psychologists represents licensed psychologists who are in private practice. The Kansas Psychological Association is a much larger umbrella organization including not only those who are engaged in private practice, but also those who work in community mental health centers and other institutional settings.

We have for a number of years opposed efforts to change the membership of the BSRB.

However, in an attempt to reach an amicable resolution, and to handle the necessary workloads, we would propose that **SB-163 be modified to provide** for a board of three licensed psychologists, three licensed social workers, one RMLP, one professional counsellor, and one general public member. With that change we will support Senate Bill 163.

Thank you for your consideration.

john/legislat/kapp/testimS163

Senate P H&W
Attachment #6
2-19-91