

Approved Gary Blumenthal

Date MAR 30 1992

MINUTES OF THE House COMMITTEE ON Governmental Organization

The meeting was called to order by Representative Gary Blumenthal at
Chairperson

9:10 a.m./~~p.m.~~ on March 23, 1992 in room 522-S of the Capitol.

All members were present except:

All Present

Committee staff present:

Carolyn Rampey, Legislative Research Department
Julian Efird, Legislative Research Department
Avis Swartzman, Revisor of Statutes
Nita Shively, Committee Secretary

Conferees appearing before the committee:

Dr. David Houry, Assistant Executive Director, State Historical Society
Representative Eloise Lynch
Dorothy Ilgen, Director, Kansas Arts Commission
Terry Harmon, Acting State Archivist, Kansas State Historical Society
John Wein, General Counsel, Secretary of State's Office
Terri Roberts, Kansas State Nurses Association
Pat Johnson, State Board of Nursing
Elizabeth Taylor, Federation of Licensed Practical Nurses

Chairperson Blumenthal called the meeting to order when quorum was present.

Hearing on SB 2 - Act concerning expiration of the act establishing the joint committee on the arts and cultural resources.

Chair recognized Dr. David Houry, who spoke in support of SB 2. Dr. Houry expressed the appreciation of his agency for being able to provide information to the Legislature, through the Joint Committee on Arts and Cultural Resources, during the interim. The Joint Committee has visited various state historical sites; detailed information has been provided regarding the proposal for a state records center, plans for state agencies to use permanent paper for publications and documents, and the proposed new center for historical research.

Representative Lynch testified as a proponent of SB 2. She outlined the specific mandate of the Joint Committee, the make-up of the committee and the topics they have covered up to this point. (Attachment 1)

While visiting various historical sites around the state, they noted that some are in great need of repair. The need for support from one community to another was also mentioned. The report contains the committee's philosophy, comments and recommendations.

Dorothy Ilgen, proponent for SB 2, spoke briefly, reiterating earlier testimony. She stated the the Joint Committee affords cultural agencies in Kansas an opportunity to discuss numerous important issues that effect Kansas communities, outside the budgeting process. In addition, it gives legislators, serving on this committee, the opportunity to study many key issues.

Hearing closed on SB 2.

Action on SB 2 - Motion by Representative Brown to pass SB 2 favorably and place on consent calendar, motion seconded by Representative Watson, motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Governmental Organization,
room 522-S Statehouse, at 9:10 a.m./~~p.m.~~ on March 23, 1992

Hearing on SB 587 - An act concerning certain public records; transfer thereof to state archives.

Chair recognized Terry Harmon, who appeared as a proponent for SB 587. Mr. Harmon mentioned cost-savings and other advantages from storing non-current records in a single repository. The Kansas State Historical Society is best equipped to handle storage needs. (Attachment 2)

In order to avoid any problems regarding the legality of transferring certain materials from the Secretary of State's Office, a change in the present statute is necessary. SB 587 includes a broad statement allowing the Secretary of State to transfer any noncurrent government records accepted by the State Archivist.

John Wein testified in favor of SB 587. He noted that this bill passed the Senate 40-0, has no fiscal impact and the office of Secretary of State urges favorable passage. He noted that this bill would clarify any situation involving transfer of records, thereby enabling records to be lawfully transferred to the State Archivist. (Attachment 3)

Hearing closed on SB 587.

Action on SB 587 - Motion by Representative Benlon to report SB 587 favorably and place on consent calendar, motion seconded by Representative Bowden, motion carried.

Hearing on SB 699 - An act concerning board of nursing; membership.

Chair recognized Terri Roberts, who testified in support of SB 699. She addressed the need to change the composition of the Board due to changing demographics of the Board of Nursing Licensees. Her report listed the 9 committees under the Board of Nursing, along with other pertinent statistics. (Attachment 4)

Ms. Roberts requested an additional amendment to the bill allowing for 4 R.N.'s rather than 3. This would reflect an odd number on the Board (15) and 8 R.N.'s.

Pat Johnson, proponent for SB 699, elaborated on the heavy workload of the Board and the need for additional R.N.'s on it. She mentioned many of the issues handled by the Board and gave examples of the time-consuming problems they must deal with on a regular basis. Regardless of whether SB 699 is approved, the composition of the Board will have to be changed in some way. (Attachment 5)

Elizabeth Taylor appeared as an opponent of SB 699. Ms Taylor agreed that the workload has increased dramatically, but instead of adding 3 or 4 R.N.'s to the Board, additional staff should be hired. It is unfair for one group of licensees to have a majority on the Board. Good public policy means there should be broad-based representation. (Attachment 6)

Hearing closed on SB 699.

Action on HB 2782 - Motion by Representative McClure to pass HB 2782 favorably and place on consent calendar, motion seconded by Representative Watson, motion carried.

Action on SB 575 - Motion by Representative Hamilton to amend SB 575-- change language on page 7, delete everything after comma on lines 37 and 38; change wording to original draft on lines 35 and 36 which reads: but such conviction shall not automatically operate as a bar to licensure. Motion seconded by Representative Gilbert, motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Governmental Organization,
room 522-S, Statehouse, at 9:10 a.m./~~p.m.~~ on March 23, 1992

Avis Swartzman called Chair's attention to a request from the Revisor to allow a correction on page 1, line 14 of SB 575---should read Section rather than Sec. It was the consensus of the committee to approve this change.

On the bill as a whole, motion by Representative Weimer to report SB 575 favorably as amended, motion seconded by Representative Hackler, motion carried.

Motion by Representative McClure to approve minutes for March 17, 1992. Motion seconded by Representative Watson, motion carried.

Meeting adjourned at 10:15 a.m.



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
 CHAIRMAN: JOINT COMMITTEE ON ARTS AND
 CULTURAL RESOURCES
 MEMBER: ENERGY AND NATURAL RESOURCES
 LABOR AND INDUSTRY
 PUBLIC HEALTH AND WELFARE
 LEGISLATIVE, JUDICIAL AND
 CONGRESSIONAL APPORTIONMENT

ELOISE LYNCH
 REPRESENTATIVE, 71ST DISTRICT
 705 S. SANTA FE
 SALINA, KANSAS 67401
 (913) 823-3594 HOME
 (913) 296-7639 CAPITOL OFFICE

The Joint Committee on Arts and Cultural Resources was established by the 1989 Legislature and is directed by statute to study, investigate, analyze, and make recommendations on the following matters:

1. the goals appropriate to the future of the arts and cultural life of Kansas including, but not limited to, the following: public art, individual artists, film, video, radio, music, and historic preservation;
2. the role the Legislature and state government should play in the achievement of these goals;
3. arts legislation in other states and at the federal level;
4. the budget and programs of the Kansas Arts Commission and other state-supported arts and cultural programs and agencies;
5. the present status of arts education in Kansas; and
6. the economic impact of arts and cultural resources in Kansas.

Because the Joint Committee is a statutorily prescribed committee, it set its own agenda for meetings scheduled during the 1990 interim. The Joint Committee, which consists of five Senators and five Representatives, studied and made recommendations on the following topics:

- Topic I** Update on Programs of the Kansas Arts Commission, the Kansas State Historical Society, the Kansas Committee for the Humanities, the Eisenhower Commission, and the Kansas Commission on the Bicentennial of the U.S. Constitution (includes information on FY 1992 budget requests)
- Topic II** Historic Sites Program of the Kansas State Historical Society
- Topic III** Deaccession authorization for the Kansas State Historical Society
- Topic IV** Preservation and Storage of Paper-Based Materials

Statement of Committee Philosophy

For the past three years, the Joint Committee on Arts and Cultural Resources has collected information and images from on-site visits to Kansas communities. The Committee believes the time has come for the Committee to provide to the Legislature its views on the fundamental importance of the arts and the humanities to the citizens of Kansas, believing that is the most essential task of this Committee to articulate for the Legislature why the arts and the humanities are so fundamental and why state funding for the arts and the humanities is vital to the cultural development of our state.

While visiting the City of Salina, the Joint Committee was informed that Salina has just gone through a cultural planning process. In the course of that process, the community of Salina developed the following mission statement:

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 attachment 1

Our culture is our signature -- the fingerprint that distinguishes a reflection of our heritage. By this imprint we connect our lives and connect with the people and place of other cultures and ages. Art, literature, history, philosophy, music, theater, and dance are basic expressions of our culture, giving form and meaning to our innermost feelings and ideas. Having a sense of our own identity, we recognize the world as a neighborhood and the key role that cultural expression and history have in providing international exchange and understanding.

The Joint Committee believes that the above statement clearly articulates the essential relevance of the arts and the humanities. The image of the culture of Kansas being our unique signature is a vivid one but the image can even be taken a step further. The arts and the humanities being so essential can be thought of as our cultural DNA. The arts represent all the heritage that has come before us which goes through a series of evolutions to become what we are today and will evolve further to become what we will be in the future. This has very personal meaning but is also universal. The arts, therefore enable a person to center themselves, generating a sense of place and identity, and then enable the individual to expand to the universal. Through this process, the arts and the humanities provide a marketplace for contemporary thoughts and images. Through the arts and the humanities, individuals and communities are granted the opportunity to remain open to new ideas and concepts by encouraging participating and active audiences. Thus, the arts and the humanities challenge individuals to critically analyze and to make choices, which can only help to keep us competitive in the world.

What do the arts and the humanities contribute to a community, to a state, or to a nation? This Committee has observed that the arts and the humanities render a sense of pride, history, and place by transmitting beliefs, values, and standards. By providing a sense of pride, history, and place, the arts and the humanities give communities a focal point, a convenient community forum. A community, utilizing the arts and the humanities as its symposium, can celebrate itself and in a nonthreatening way examine its problems and look for ways to solve them - a mechanism which will be required more frequently as our communities become more diverse.

Kansas does not have many large cultural institutions to draw upon but instead has smaller community organizations which are able to achieve an economy of scale and have the ability to help promote the expressive health of their communities. One can observe that cultural resources are thriving in communities which spawn growth, creativity, and improved living standards and that the poorest choices for economic growth potential are invariably those places that cannot or do not nurture the development of cultural resources. This is the case because the arts and the humanities energize communities and open communities to the ideas of the world.

The government's responsibility is to support access to cultural resources to people of all situations as it is the government's responsibility to provide roads and public safety. Government support of the arts and cultural resources offers opportunities for people of all ages to explore and learn about art and humanities, offers ways for people to express themselves artistically and interpret their cultural roots. Government support of the arts and the humanities can ensure that cultural democracy, which requires the acceptance of the concept that there are various cultures that make up our American culture, will be advanced. Maybe in this way, state government can be seen as having a positive influence in people's lives by promoting the expression of the uniqueness and beauty of Kansas.

Committee Comments and Recommendations

To keep the arts on the public agenda and to keep the arts and the humanities a priority in the spectrum of public funding, a broader constituency for the arts must be found and developed. The Joint Committee suggests that arts and humanities advocates and organizations pursue the following strategies:

1. Arts and humanities advocates should improve communication to the public about ways that government-supported cultural programs and projects are benefiting the economies of, and enhancing the quality of life in, their communities.
2. Arts and humanities supporters need to explore more effective ways to involve citizens at the grassroots level in articulating and working for cultural policies.
3. Cultural organizations need to form working alliances with other groups that intersect with the arts and the humanities, including labor unions, educational organizations, chambers of commerce, and economic development councils.

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Attachment 1-2

4. Arts and humanities advocates should initiate a coalition with state chief executives who understand the vital role of the arts and the humanities in communities and are prepared to serve as advocates for the arts and the humanities with all levels of government.

The above recommendations are consistent with the Committee's belief that there must be a strong public and, as well, private commitment to the arts and humanities. What the Committee has observed is that what a community is able to do in the arts and humanities is in direct proportion to local commitment, which may result from a mix of individuals who find each other quite by accident. The state cannot mandate or legislate this local commitment, but it is hoped that the Kansas Arts Commission, the Kansas Committee for the Humanities, and the Kansas State Historical Society and other cultural advocates would develop strategies to foster community commitment for the advancement of cultural resources.

Regarding the hearings the Committee held on the issue of decentralizing state funding for arts programming are distributed, the Joint Committee was informed that arts organizations around the state are concerned that the current mechanism of funding would be altered. The Joint Committee was informed that the current system is the best available to distribute the relatively small amount of dollars which the state has allocated for the arts. The organizations around the state believe that the competitive grants process is working and is worthwhile. The Committee is not in favor of decentralizing the method of funding for arts funding, noting that such a move would merely add an additional level of bureaucracy to the existing procedure and therefore would result in an increase in administrative costs, not a decrease.

Concerning state funding of the Kansas Arts Commission, the Committee supports the use of funds from Economic Development Initiatives Fund (EDIF) to fund arts programming grants. The arts are vital to the economic development of our state. Study after study has shown the impact of quality of life, to which the arts contribute, on the prosperity of the state. These studies have identified quality of life as an important consideration for economic development efforts, as the quality of life in a region is becoming a major factor in firm location and expansion decisions. A survey of high-technology manufacturers,* for example, conducted by the Federal Reserve Bank of Kansas City provides information about the characteristics of high-technology manufacturers' location decisions: 43 percent of the survey respondents report that "cultural amenities" had some significance in determining their location in a state, and 51 percent reported that improving cultural amenities had some significance in determining expansion.

Not only do the arts and humanities contribute to the economic well-being of the state by favorably influencing business decisions to locate in Kansas, but also because of the appeal of the state cultural resources to tourists. An article in the *New York Times* (October 21, 1991) cites data that revealed that Kansas has experienced a 213 percent increase from 1985 to 1990 in the number of foreign visitors visiting the state.

The Committee supports state funding for the arts and humanities believing cultural resources that the arts do contribute to the economic development of the state and therefore a solid case can be made for funding the Kansas Arts Commission, the Kansas Committee for the Humanities, and the Kansas State Historical Society with moneys from the EDIF.

In past fiscal years, EDIF moneys have been used as the state match to federal funds from the National Endowment of the Arts (NEA). State funding either from the State General Fund or the EDIF must be sufficient to match all federal funds received by the Kansas Arts Commission from the NEA. The state match to the federal funds must be dollar for dollar. If state funds are not forthcoming, Kansas will lose federal funds. Kansas currently ranks 50th out of 56 states and territories in state funding of the arts -- this ranking should not be allowed to slip even further.

Finally, the Committee would like it noted that the Kansas Committee for the Humanities (KCH) is nearing a milestone -- its 20th anniversary as a statewide cultural organization. KCH for the past two decades has provided Kansas with immeasurable opportunities to high quality humanities programming. Through its humanities programming, KCH has promoted the idea of life-long learning. This life-long learning approach has continued to encourage and develop an informed citizenry capable of critical analysis which is essential to self-government.

* Quoted in the *Wichita Eagle-Beacon*, September 21, 1986.

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attachment 1-3

TESTIMONY CONCERNING SENATE BILL NO. 587

Presented to the House Committee on Governmental Organization
by Terry Harmon, Acting State Archivist

March 23, 1992

This opportunity to appear before your committee as a representative of the Kansas State Historical Society is appreciated very much. My comments will be brief because the statutory change proposed in S.B. 587 is uncomplicated and no opposition to it is anticipated.

Adoption of this bill is needed to eliminate any statutory obstacles to the transfer of records with archival value from the office of the Secretary of State to the custody of the State Historical Society.

For a variety of reasons, it is efficient and cost-effective to concentrate noncurrent records with enduring value which were created by state agencies in a single state archives repository. The State Historical Society has been designated as custodian of the state archives by K.S.A. 45-405. We have well-trained archivists, storage facilities, reading rooms, special copying equipment, and other resources needed to preserve records and make them adequately accessible to the public.

Secretary of State Bill Graves and his staff agree that it is a good idea to send most noncurrent records with enduring value from their office to the archives. Their cooperation in transferring large quantities of documents and microfilm during the past five years is appreciated very much by the Historical Society.

Questions have arisen, however, about the legality of several of these transfers because of laws which state or imply that the documents should remain permanently in the office of the Secretary of State. One example is the original enrolled laws and resolutions approved by the legislature. Other examples include campaign finance reports and statements of substantial interests.

When the Government Records Preservation Act was adopted in 1981, this problem was anticipated and subsection (c) of K.S.A. 45-405 was included in an effort to solve it. It now appears that the language currently in subsection (c) is not comprehensive enough, and S.B. 587 is proposed as a remedy. Instead of attempting to list each statute which might be viewed as an obstacle to transfers of records, it would change subsection (c) to say that: "The secretary of state shall not be prevented by any statute from depositing in the state archives any noncurrent government records accepted by the state archivist."

We hope you will agree that this change would be appropriate.

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Attachment 2

Bill Graves
Secretary of State



2nd Floor, State Capitol
Topeka, KS 66612-1594
(913) 296-2236

STATE OF KANSAS

TESTIMONY BEFORE THE HOUSE GOVERNMENTAL ORGANIZATION COMMITTEE SENATE BILL NO. 587

March 23, 1992

The office of the Secretary of State supports SB 587 and encourages this committee to favorably recommend it for passage. It passed the Senate 40 - 0.

This bill alleviates any doubt about the authority of the Secretary of State to transfer records to the State Archivist. The existing statute attempts to accomplish this goal, but has created some confusion.

Specifically, we were concerned about the transfer of enrolled bills to the Archivist. A separate statute, K.S.A. 45-410, requires us to retain printed laws. Because K.S.A. 45-405 did not specifically mention K.S.A. 45-410, we were not certain about our actual authority to make the transfer.

This bill would clarify that in any situation where we hold records, the records can be lawfully transferred to the State Archivist. Because our office does not have the training or facilities for proper preservation of historical records, we would like the authority to voluntarily transfer such records.

Again, we encourage this committee to favorably report SB 587 for passage.

Thank you.

John Wine, General Counsel

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attachment 3

KSNA

the voice of Nursing in Kansas



FOR MORE INFORMATION CONTACT:

Terri Roberts, J.D., R.N.
Executive Director
Kansas State Nurses' Association
700 S.W. Jackson Suite 601
Topeka, Kansas 66603-3731
(913) 233-8638
March 23, 1992

SB 699 Change in the Composition of the Kansas State Board of Nursing

Representative Blumenthal and members of the House Governmental Organization Committee, my name is Terri Roberts and I am a Registered Nurse representing the Kansas State Nurses' Association.

The Kansas State Nurses' Association as well as numerous state-wide nursing organizations support a proposed change in the composition of the Board of Nursing to make it more reflective of the changing demographics of the licensees they govern.

Attached is a profile of the changing demographics of the Board of Nursing licensees over the past ten years, and the number of programs preparing the various levels of licensees RN's, LPN's and LMHT's. The current ratio's of licensees per Board representative is also presented, along with the KSNA proposed change that was amended by the Senate Governmental Organization Committee.

The original bill proposed to reduce the LMHT and Public member by one each on the Board of Nursing, for the following three reasons:

The changing demographics of the Board of Nursing Licensees, 24,000 R.N.'s, 8500 L.P.N.'s, and 1000 L.M.H.T.s.

There has been an 11% increase in the number of R.N.'s in the past ten years and a 36% decrease in the number of L.M.H.T.'s. There has been an even more dramatic decrease in the number of LMHT programs in the state, in there were 9 programs in 1980 and now there are half as many, only 5.

The workload of the Board has been restructured over the past five years so that the Committees of the Board are assigned respective responsibilities and then are to make formal recommendations to the full Board for action. The current committee assignment list is also
Kansas State Nurses' Association Constituent of The American Nurses Association

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attachment 4

attached to my testimony and as you can see there are 9 committees. Five of these committees are chaired by Registered Nurses and at least one of the five R.N.'s on the Board is currently on each committee except the Mental Health Technician Exam Committee. Two committees that require a great deal of time are the education committee, responsible for reviewing the more than 50 school programs preparing ARNP's, RN's, LPN's and LMHT's and the A.R.N.P. committee which is responsible for reviewing all applications for A.R.N.P. status and new program approvals. In addition to R.N. Board members serving on these committees, the Board has appointed **non-board members** to serve as voting members of the **committees of the board**. The following **non-board** members serve on KSBN Committees at this time:

ARNP Committee 2 Board members, 3 **non-board members**.
Education Committee 3 Board members, 1 **non-board member**.
Practice Committee 4 Board members, 2 **non-board members**.
CE Committee 4 Board members, 2 **non-board members**.
LMHT Exam Committee 2 Board members, 2 **non-board members**.

All of the **non-board** members appointed to these committees are Registered Nurses. We believe that this is very demonstrative of the need for change in the Boards composition.

The original proposal was budget neutral. Increasing the number of Board members by two was considered as an alternative, however it was felt that a more financial prudent approach would be to maintain the current eleven members of the Board and simply restructure those eleven members. The number of LPN's remains the same, at 2.

The Senate amended the bill by adding two R.N.'s and one public member to the Board. They left the remaining members on the Board of Nursing intact. KSNA supports the recognition of the increased workload for the RN Board members and supports the additional R.N. positions on the Board added by the Senate.

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attachment 4-2

The practice issues that the Board is faced with continue in sophistication, particularly focused on RN or advanced nursing practice issues. The most recent Practice Committee meeting had the following agenda items:

1. Laser Techniques performed by R.N.'s
2. Analgesic Administration through PAC's by R.N.'s.

Five years ago, **non-board** members of committees were few, but to keep up with the workload of the Board and the expertise needed to complete Board work, additionally R.N.'s have been added. **It is this trend of increased workload by the R.N.'s on the Board that initiated KSNA's proposed change to the composition of the Board.**

Factors that were considered in making this specific recommendation included the need to identify the role of the R.N.'s on the Board, either service (practicing R.N.'s) or education (preparing nurses or LMHT's). There was some discussion that one of the positions should be for an ARNP on the Board, however, after much dialogue with the other nursing leaders throughout the state, including compromises, the best and fairest proposal was the one before you today. The two additional R.N.'s on the Board, one would be from education, and one would be from service.

The current version of S.B. 699 has 7 R.N.'s, 2 L.P.N.'s, 2 L.M.H.T.'s and 3 public members on it, for a total of 14 Board of Nursing members. We reviewed the other regulatory Boards (see attached sheet) and believe that for voting purposes, an odd number of members would be better than an even number. We would therefore ask that this committee consider adding one more R.N. for a total of 15 board members (8 R.N.'s). Our initial proposal called for no additional positions and a more conservative fiscal approach than the Senate responded with. In light of their recommendations to add three new Board of Nursing members, we believe the workload supports the fourth new Board member as well. When compared to the number of licensees the entire Board is responsible for, more than 35,000 (and growing by 3% annually), we believe that this approach will meet the needs now and in the future for this regulatory board. The last change in composition and structure was almost twenty years ago.

We would appreciate your support of S.B. 699 and the recommendations we have made today.

Thank you for the opportunity to speak and present the views of the association.

*g.o. 3-23-92
Attachment 4-3*

FACT SHEET
SB 699 Changing the Board of Nursing Composition

The current number of Kansas Licensees is as follows:

R.N.'s 24,000 L.P.N.'s 8,500 L.M.H.T.'s 1,000

	Current KSNB	Ratio of Licensees per Board Member	KSNA Proposal SB699	Change in Ratio Kansas RN's	Senate Version SB 699
R.N.	5	1:4800	7*	1:3425	7
L.P.N.	2	1:4250	2	1:4250	2
L.M.H.T.	2	1: 500	1	1:1000	2
Public	2		1		3
TOTAL	11		11		14

Schools/Programs

YEAR	RN	LPN	LMHT
1980	26	15	9
1990	30	17	5
Change	4	2	-4
Percent Change	15%	13%	44%
	Increase	Increase	Decrease

KSNB Licensees Population by Type

YEAR	RN	LPN	LMHT
1984	21,853	7,372	1,652
1991	24,339	8,693	1,054
Change	2,486	1,321	-598
Percent Change	11%	17%	36%
	Increase	Increase	Decrease

Current Public Members appointed to Health Regulatory Boards

	Public Members	Total Board Members
Board of Veterinarian Medicine	1	5
Board of Pharmacy	1	6
Board of Dentistry	1	5
Board of Nursing	2	11
Board of Behavioral Sciences	3	7
Board of Healing Arts	3	15

(2 Public Members were added in 1986)

ALL HAVE AN ODD NUMBER EXCEPT THE BOARD OF PHARMACY

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attachment 4-4

KANSAS STATE BOARD OF NURSING
COMMITTEES 1991 - 1992

ADVANCED PRACTICE (ARNP)

Pamela Horsch ARNP, Chair
Dean Zerr ARNP Vice-Chair
Dolora Donovan ARNP*
Barbara Clancy ARNP*
JoAnn Denny ARNP*

INVESTIGATIVE PANEL

Joan Felts RN, Chair
Pamela Horsch ARNP, Vice-Chair
Janet Jacobs LPN
Mary Jo Greenwood

COMMITTEE ON IMPAIRED LICENSEE (CIL)

John Hymon, LMHT Chair
Janet Jacobs, LMHT Vice-Chair
Rebekah Wasson
Barbara McClaskey RN

FINANCE COMMITTEE

Rebekah Wasson, Chair
Pamela Horsch ARNP
Janet Jacobs LPN

CONTINUING EDUCATION

Barbara McPherson RN, Chair
John Hymon, LMHT Vice-Chair
Dorothy Zook LPN
Mary Jo Greenwood
Arnetha Martin RN*
Faith Ball RN*

MENTAL HEALTH TECHNICIAN EXAM

John Hymon LMHT, Chair
Pamela Brandenburgh LMHT, Vice-Chair
Dorothy Hawthorne RN*
Jeri Fouts RN*

EDUCATION COMMITTEE

Joan Felts RN, Chair
Barbara McClaskey RN, Vice-Chair
Barbara McPherson RN
Lois Churchill RN

PRACTICE COMMITTEE

Dorothy Zook LPN, Chair
Mary Jo Greenwood, Vice-Chair
Barbara McPherson RN
Pamela Brandenburgh LMHT
Pat Maben RN*
Donna Swindel RN*

HEARING PANEL

Dean Zerr ARNP
Pamela Brandenburgh LMHT
Barbara McClaskey RN
Dorothy Zook LPN
Rebekah Wasson

*Non-Board Members

*J. O. 3-23-92
Attachment 4-5*

KANSAS ASSOCIATION OF NURSE ANESTHETISTS



Members of the Senate Committee on Governmental Organization, thank you for allowing me time to address this hearing.

I am Joseph P. Conroy, a Certified Registered Nurse Anesthetist from Emporia, Kansas, representing the Kansas Association of Nurse Anesthetists. I am present today to testify regarding Senate Bill number 699.

The Kansas Association of Nurse Anesthetists strongly supports this bill to change the composition of the Kansas State Board of Nursing from five to seven R.N.'s. The rationale for our support is the increasing number of R.N.'s compared to other licensees and the current disparity of representation on the Board of Nursing.

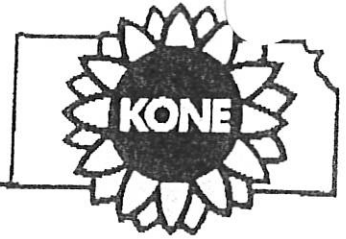
More importantly, the K.A.N.A. feels there is a need for more representation on the Board of Nursing with the education and experience to address the complex issues that continue to emerge with expanded nursing practice.

Testimony Submitted by,

Joseph P. Conroy, B.A., C.R.N.A., A.R.N.P.
Board of Directors
Kansas Association of Nurse Anesthetists
2614 Apple Drive
Emporia, Kansas 66801
(316) 342-0856

*g.o. 3-23-92
attachment 4-6*

KONE



Kansas Organization of Nurse Executives
P. O. Box 2908
Topeka, KS 66601

March 2, 1992

Terry Roberts, RN, JD
Executive Director
Kansas State Nursing Association
700 SW Jackson, Suite 601
Topeka, Kansas 66603-3731

Dear Members:

I am Vice President/Patient Services at Cushing Memorial Hospital. I am writing to you as President of the Kansas Organization of Nurse Executives.

We as an organization feel strongly that the Board of Nursing should have more registered nurse representation. They are involved more with more complex decisions that require the knowledge of a registered nurse. Decisions critical to the scope of practice of registered nurses in Kansas.

We do support the need to increase the number of registered nurses from five to seven.

Sincerely,

Mary Ruth Yulich, RN

Mary Ruth Yulich
President KONE

MRY:tt

Kansas State Board of Nursing

Landon State Office Building
900 S.W. Jackson, Rm. 551
Topeka, Kansas 66612-1230
913-296-4929



Patsy L. Johnson, R.N., M.N.
Executive Administrator
913-296-3068

To: The Honorable Gary Blumenthal Chairperson and Members of
the Governmental Organization

From : Patsy Johnson, R.N., M.N.
Executive Administrator
Kansas State Board of Nursing

Date: March 23, 1992

Re: SB 699

The Board of Nursing supports SB 699 as amended by the Senate. Although the Kansas State Nurses' Association (KSNA) proposed the change in composition of the Board by reducing two non-professional nurse positions and replacing them with professional nurses, this did not address the real problem, the increasing amount of work faced by the Board. By amending SB 699 and adding new members, a more appropriate approach to the problem has been proposed.

I would like to give you a short summary of the types of issues being addressed by the Board. One function is to approve all nursing and mental health technician educational programs. Besides reviewing all curriculum changes, the schools are surveyed at least every five years. There are over 100 continuing nursing education providerships as well as 60 single providerships being approved every year. There are increasing numbers of practice issues which deal with expanded nursing and mental health technician practice. There also has been a tremendous expansion of disciplinary problems from 40 to 400 complaints per year over the last four years. Three years ago, there was an occasional conference call between the five meetings that are held. Now there is usually at least one and sometimes two conference calls between each meeting. Extra Investigation Committee meetings are also conducted in conjunction with those Board conference calls. KSNA cites a belief that a greater number of R.N.'s are needed on the Board to deal with these increasing and complex issues. The Board is in complete agreement with KSNA in that more Board members are needed.

Janette Pucci, R.N., M.S.N.
Education Specialist
296-3782

Diane Glynn, R.N., J.D.
Practice Specialist
296-3783

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Patricia McKillip, R.N., M.N.
Education Specialist
296-3782

In considering SB 699, it might also be helpful for the Committee to understand how the Board work is accomplished. Although the Board meets as a whole to make decisions, numerous committees have been established to deal with specific subjects. A copy of the committee structure and membership is attached. For the general committees, there is representation from each licensing group as well as a public member. If there is discussion about anything specific to that licensing group, then there is a person there to provide input. Some committees are more limited. For an example, only the RN educators from the Board are assigned to the Education Committee. There is currently a number of non-Board members on different committees. These non-Board members bring an expertise to the committees which helps provide additional information. Staff often research subjects prior to the committees. Experts are also asked to attend the committees to assist. The Board has also initiated more task forces when issues need resolution. Presently there are two statute changes being considered based on decisions from task forces convened this year. The Board recognizes the need for accurate and current information and utilizes a variety of means to provide it.

By adding three additional Board members, some of the non-Board members on committees would not be needed. This would promote consistency in decisions and total workload of all the Board members, since the Board members have to take on a more directive role on the committees with non-Board members. The increase in workload for the hearing panel and Investigative Committee has begun to place a real burden on present Board members because of the increased amount of time that is needed. More members would allow this increased workload to be distributed more evenly.

With SB 699 being amended to add three new members, the Board hopes that KSNA will support this change. If they do not, it is believed that there must be some other motive to change the composition of the Board than just to meet workload demands. The original version of the bill, if passed, would establish a Board of seven R.N.'s and 5 non-R.N.'s. The amended version would create a Board of seven R.N.'s and seven non-R.N.'s.

Board members are not chosen to represent the membership of their own profession, but serve to protect the health, safety, and well-being of the public. The primary goal is the public's interest, not to promote one faction of the industry over another. That is also one of the reasons that public members have been added to licensing

boards. The public member, who should have no association with the profession, is there to express and be watchful of the public interest, not the interest of the profession. The public member helps increase public confidence in government and lends credibility to board decisions. And, after all, the victim of bad nursing or mental health practice is the consumer or a member of the public.

Past history of the Board as noted by voting practices do not indicate any great differences between R.N.'s and non-R.N.'s. The Board members focus on issues, obtain information, and work together as a group to form good decisions in protecting the public. Passage of SB 699 will assist the Board in doing just that by providing necessary manpower. The Board believes that any political move by a professional organization to assume more control of such a public agency to be inappropriate.

If there continues to be a diverse opinion about the Board composition, the Board would be happy to work on a compromise.

I would be glad to answer any questions.

Thank you.

**KANSAS STATE BOARD OF NURSING
COMMITTEES 1991 - 1992**

<u>COMMITTEE</u>	<u>CHARGE/PURPOSE</u>	<u>MEMBERS</u>
Advanced Practice (ARNP) Staff-Janette Pucci	Recommend revisions in ARNP rules and regulations; Review applications; Suggest guidelines for approval of programs.	Pamela Horsch, RN, Chair Dean Zerr, RN, Vice-Chair Dolora Donovan, RN) Non- Barbara Clancy, RN) Board JoAnn Denny, RN) Members
Committee on Impaired Licensee (CIL) Staff-Pat McKillip	Maintain structured system for monitoring impaired licensees; Continue liaison with KSNA Peer Assistance Program; Review and recommend revisions to Peer Assistance yearly contract.	John Hymon, LMHT, Chair Janet Jacobs, LPN, Vice-Chair Rebekah Wasson, Public Member Barbara McClaskey, RN
Continuing Education Staff-Pat McKillip	Functions as a review body for continuing nursing/mental health technician education; Review and recommend revisions to CE statutes and regulations; Monitor and approve CNE providers for both initial and renewal status; Review statistical information regarding provision of continuing nursing and LMHT education.	Barbara McPherson, RN, Chair John Hymon, LMHT, Vice-Chair Dorothy Zook, LPN Mary Jo Greenwood, Public Member Arnetha Martin, RN) Non-Board Faith Ball, RN) Members
Education Committee Staff-Janette Pucci	Review educational policies for basic programs; Review all forms for schools of nursing (reports, evaluation, site visits, etc.)	Joan Felts, RN, Chair Barbara McClaskey, RN, Vice-Chair Barbara McPherson, RN Lois Churchill, RN) Non-Board Merle Bolz) Member

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Hearing Panel
Staff-Diane Glynn
Charlene Shibel
Harry Holloway

Conduct prehearing and hearing conferences referred by the Investigative Panel.

Dean Zerr, RN
Pamela Brandenburgh, LMHT
Barbara McClaskey, RN
Dorothy Zook, LPN
Rebekah Wasson, Public Member

Investigative Panel
Staff-Diane Glynn
Harry Holloway
Charlene Shibel

Review evidence presented regarding impaired and determine what type, if any, discipline indicated; Make specific recommendations to the Board.

Joan Felts, RN, Chair
Pamela Horsch, RN, Vice-Chair
Janet Jacobs, LPN
Mary Jo Greenwood, Public Member

Finance Committee
Staff-Pat Johnson

Review and project budgetary needs to support agency; Recommend necessary action for sound fiscal management.

Rebekah Wasson, Public Mem, Chair
Pamela Horsch, RN
Janet Jacobs, LPN

Mental Health Technician Exam.
Staff-Janette Pucci

Evaluate present exams; Prepare valid, reliable exam questions; Identify LMHT competencies; Make recommendations to include competencies in curricula, test competencies on MHT Exam; Develop exam blueprint; Investigate alternate resources for MHT exam.

John Hymon, LMHT, Chair
Pamela Brandenburgh, LMHT, Vice-C
Dorothy Hawthorne, RN) Non-
Jeri Fouts, RN) Board
Joan Ramberg, RN) Mem

Practice Committee
Staff-Pat Johnson

Review practice acts; Make recommendations for revision that: reflect current practice, establish CE requirements, clarify/improve CE requirements.

Dorothy Zook, LPN, Chair
Mary Jo Greenwood, Public, Vice-C
Barbara McPherson, RN
Pamela Brandenburgh, LMHT
Pat Maben, RN) Non-Board
Donna Swindel, RN) Members

** Board President and Executive Administrator serve as ex-officio on all Committees

** Meetings are set before each Board meeting and as called by Chair or Staff

3/92 Revised

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Attachment 5-5



KANSAS FEDERATION OF LICENSED PRACTICAL NURSES, INC.

Affiliated with NATIONAL FEDERATION OF LICENSED PRACTICAL NURSES, INC.

933 Kansas Avenue Topeka, KS 66612 913-354-1605

House Committee on Governmental Organization
Honorable Representative Gary Blumenthal, Chairman
Testimony in Opposition to SB 699
March 23, 1992

presented by Elizabeth E. Taylor, Legislative Consultant
to KFLPN

The Kansas Federation of Licensed Practical Nurses STRONGLY OPPOSES the provisions of SB 699. There seems to be only one reason for the introduction of the bill as requested by the Kansas State Nurses Association, that of control by majority of the governing body over nurses, both Registered Nurses and Licensed Practical Nurses.

We hope that this Committee we see through this attempt to monopolize rule making authority and keep the level of representation the same as you see today on the Kansas State Board of Nursing.

We have long been the support nurse to the RN and function only at her (his) direction. While being happy to do so, we are not happy to think that forever would we be governed by the votes of the RN representatives to the Board of Nursing or that state nursing policy, now at a most critical time of health care reform and medical/nursing technological breakthroughs, would be so governed by only one set of the licensed professions regulated by this Board.

There is no other professional which controls its state policy by vote of professional representative. For example the Board of Healing ARTs is comprised of 15 members, of which only 5 are M.D.s.

We have always supported fairness in policy, practice and profession. Therefore, we would ask you to realize that nothing about this policy change is wither fair in practice or profession. We ask that you forever table SB 699 and any other similar bill which would propose the same purpose.

*J. O. 3-23-92
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