

Approved \_\_\_\_\_

Date

3-4-92

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MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by Carol H. Sader at \_\_\_\_\_  
Chairperson

1:30 a.m./p.m. on February 18, 1992 in room 423-S of the Capitol.

All members were present except:

Committee staff present:

Emalene Correll, Research  
Bill Wolff, Research  
Norman Furse, Revisor  
Sue Hill, Committee Secretary

Conferees appearing before the committee:

Marnie Campbell, Coordinator of Infant/Toddler program, Bureau of Family Health, Department of Health/Environment  
Dr. Nancy Peterson, Chair, Coordinating Council on Early Childhood Developmental Services, Professor of Special Education, Kansas University  
Lila Pasley, Association for Retarded Citizens of Kansas  
Josie Torrez, Families Together  
Pat Johnson, Executive Administrator, Ks. Board of Nursing

Chairperson Sader called the meeting to order, drawing attention to Committee minutes of February 3rd and 4th. It had been indicated at the meeting yesterday there was page numbering error in the February 4th minutes which has now been corrected with pages in proper sequence.

Motion was made by Rep. Flower, Rep. Weiland seconded the motion to approve minutes for both February 3rd and 4th. No Discussion. Vote taken. Motion carried.

Chair drew attention to the Agenda, and requested staff briefing.

**BRIEFING ON HB 2759.**

Ms. Correll gave a comprehensive explanation of language proposed in HB 2759. She distributed copies of statutes 74-7801 (Attachment No.1) and gave a detailed explanation. She drew attention to the language in regard to reports, noting perhaps, confidentiality may need to be specifically addressed in this part of the bill. Ms. Correll also offered (Attachment No. 2) (Expansion of Infant Toddler Program), an excerpt from the budget of Department of Health/Environment.

Ms. Correll answered questions, i.e., this program has operated for several years with federal funding. Department of Health/Environment is the lead agency.

**HEARINGS BEGAN ON HB 2759.**

Marnie Campbell, Coordinator of the Infant/Toddler Services in Kansas, offered hand-out (Attachment No.3). She spoke in support of HB 2759, noting for four years, the Department of Health/Environment has been planning and beginning implementation of federal legislation for early intervention services to families who have infants and toddlers that are disabled. The program has been developed by the Department of Health/Environment in collaboration with Department of Education, and the Department of SRS.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

room 423-S Statehouse, at 1:30 a.m./p.m. on February 18, 1992

HEARINGS CONTINUED ON HB 2759.

Ms. Campbell continued, HB 2759 authorizes the agency to create rules and regulations to set up a statewide intervention system in accordance with federal legislation, and to define the role of the Council as: "to advise/assist the lead agency" (Department of Health/Environment). To incorporate this language into the Kansas statute is necessary for our state to be consistent with federal legislation. She urged support. Ms. Campbell and Ms. Judy Moeller, staff member of Department of Health/Environment, both answered questions, i.e. there is no state funding match; money is funded through federal funding; passage of HB 2759 would formalize this program.

Nancy Peterson, Chair of Coordinating Council on Early Childhood Developmental Services, offered hand-out (Attachment No. 4). She stated passage of HB 2759 will allow the Department of Health/Environment to promulgate rules/regulations in order for this system of early intervention for children to be consistent across the state. This is necessary in order to accomplish the federal initiative of working for services for children with disabilities ages 0-5. This legislation will bring the state statute into harmony with federal law by adding to the Council's job description, the role of advising and assisting the lead agency. Dr. Peterson answered numerous questions.

It was noted that reporting annually on the progress of the program would be a good idea.

Lila Pasley, Association for Retarded Citizens of Kansas offered hand-out (Attachment No. 5). Research tells us that the best investment we can make is in the area of prevention and early intervention for children. Their Association has been a strong advocate since 1955. She noted the local Inter-agency Council is in place and has been a valuable source of offering a valuable service to the state/communities. They assist in avoiding duplication of services which saves time and money. There has been a significant ability to develop services as groups work together.

Josie Torrez, Families Together, Inc. (Attachment No. 6) gave background information of their Association, noting it is the Parent Center for Kansas assisting families that have children with disabilities ranging from very mild to severe. She supports the passage of HB 2759, noting the Department of Health/Environment should have the ability to have state rules and regulations consistent statewide for Infants and Toddlers. She cited a personal story about her son who started in the program when he was 2½, is now in kindergarten, and without the services of TARK, he wouldn't have progressed as he has. Early intervention programs for her son have made him a success story.

HEARINGS CLOSED ON HB 2759.

Chair drew attention to hand-out provided by the Board of Nursing in regard to questions that were asked yesterday on pharmacology education for the professional nurse programs and practical nurse education programs. (See Attachment No. 7).

Chair indicated (Attachment No. 8) a letter that had been drafted to the Congressional delegation in Washington D.C. in regard to the 300% eligibility cap. She asked members to review the letter and if there were any concerns or suggestions to call her office by 5:00 p.m. today. If there were none, the letter would be mailed.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,  
room 423-S Statehouse, at 1:30 a.m./p.m. on February 18, 1992

Chair drew attention to HB 2760.

Chair indicated the Sub-Committee of Rep. Love and Rep. Carmody had been assigned to work with Mr. Furse on language clarification on concerns of this Committee. Draft of the balloon on HB 2760 is recorded as (Attachment No. 9).

Mr. Furse gave a comprehensive explanation of the balloon on HB 2760. He noted Mack Smith, Executive Director of Ks. Board of Mortuary Arts, was helpful in offering suggestions to language clarification.

A lengthy discussion in regard to continued concerns with language regarding "principal establishments"; "personal supervision"; "supervising funeral director"; "branch thereof"; "restraint of trade".

At this point, Rep. Carmody moved to amend HB 2760 on page 1, line 37 after "funeral director" to add, "in charge of the establishment" to conform with language in section 1, and to further amend by accepting proposed changes indicated in balloon on HB 2760, (Attachment No. 9). Motion seconded by Rep. Praeger. No discussion. Vote taken. Motion carried.

Rep. White moved to pass HB 2760 favorably as amended, seconded by Rep. Bishop. No discussion. Motion carried.

Rep. Amos recorded as abstaining from voting on HB 2760.

Chair asked Rep. Love to carry HB 2760 on the floor of the House. He agreed to do so.

DISCUSSION BEGAN ON HB 2762.

Chair drew attention to an amendment that had been proposed, and requested that Mr. Furse give an explanation of language changes.

Mr. Furse stated the new language in HB 2760 had been prepared by parties of Cemetery Association and the Funeral Directors Association. He gave a detailed explanation of proposed changes. Mr. Furse read statute K.S.A. 16 301 as the reference to the depositing of "such money". A lengthy discussion began with concerns expressed by Committee members, i.e., a bond should be required to protect the consumer; concerns on 30 days to deposit funds too long a period of time; concern with 10 days being allowed to provide a written request. Attachment 10

At this point, Rep. Bishop moved to amend HB 2762 conceptually with sub (c) to require that certificates of insurance be in place and that the Insurance Companies notify the Secretary of State, should such insurance no longer be in effect. Motion seconded by Rep. Love. No further discussion. Motion carried.

Discussion continued with respect to concerns of members, i.e. clarifying language in (b) add "with" after Board of Mortuary Arts; conflicting language in regard to the depositing of the money; a bond should be required to protect the consumer; legal opinions in regard to allowing filing of civil suits. At this point it was the consensus of Committee that clarifying language would be necessary before HB 2762 is clear to members. Chair requested that Rep. Love and Rep. Carmody again work on language with the help of Mr. Furse.

Rep. Praeger moved to table HB 2762, seconded by Rep. White. Motion carried.

Chair adjourned the meeting at 3:08 p.m.

sure of psychologists act of the state of Kansas, registered under the professional counselors registration act or licensed under K.S.A. 65-6301 to 65-6318, inclusive, and amendments thereto;

(h) adopt rules and regulations establishing classes of social work specialties which will be recognized for licensure under K.S.A. 65-6301 to 65-6318, inclusive, and amendments thereto;

(i) adopt rules and regulations establishing procedures for examination of candidates for licensure under the licensure of psychologists act of the state of Kansas, for registration under the professional counselors registration act, for licensure under K.S.A. 65-6301 to 65-6318, inclusive, and amendments thereto, registered under the marriage and family therapists registration act and for issuance of such certificates and such licenses;

(j) adopt rules and regulations as may be necessary for the administration of this act, the licensure of psychologists act of the state of Kansas, the professional counselors registration act, K.S.A. 65-6301 to 65-6318, inclusive, and amendments thereto, and the marriage and family therapists registration act and to carry out the purposes thereof;

(k) appoint an executive director and other employees as provided in K.S.A. 74-7501 and amendments thereto; and

(l) exercise such other powers and perform such other functions and duties as may be prescribed by law.

**History:** L. 1980, ch. 242, § 7; L. 1986, ch. 299, § 42; L. 1987, ch. 315, § 17; L. 1991, ch. 114, § 15; July 1.

**Attorney General's Opinions:**

Unlicensed and licensed psychologists. 87-24.

Social workers not licensed as licensed specialist clinical social workers may engage in private practice if supervised by LSCSW. 87-112.

Professional counselors; diagnosis and treatment of mental illness or disease. 89-80.

**74-7510. Immunity from liability in civil actions for reporting, communicating and investigating certain information concerning alleged malpractice incidents and other information; conditions.** (a) No person reporting to the behavioral sciences regulatory board in good faith and without malice any information such person may have relating to alleged incidents of malpractice, or the qualifications, fitness or character of, or disciplinary action taken against, a person licensed or registered by the board shall be subject to

a civil action for damages as a result of reporting such information.

(b) Any state, regional or local association composed of persons licensed or registered to practice in a field governed by the behavioral sciences regulatory board and the individual members of any committee thereof, which in good faith and without malice investigates or communicates information pertaining to fitness or character of, or disciplinary action taken against, any licensee, registrant or certificate holder to the behavioral sciences regulatory board or to any committee or agent thereof, shall be immune from liability in any civil action that is based upon such investigation or transmittal or information if the investigation and communication was made in good faith and without malice and did not represent as true any matter not reasonably believed to be true.

**History:** L. 1989, ch. 276, § 6; July 1.

**Article 77.—COMMISSION ON APPLIED REMOTE SENSING**

**74-7701.**

**History:** L. 1984, ch. 280, § 1; Repealed, L. 1988, ch. 301, § 33; July 1.

**Article 78.—COORDINATING COUNCIL ON EARLY CHILDHOOD DEVELOPMENTAL SERVICES**

**Attorney General's Opinions:**

Coordinating council on early childhood developmental services cannot be lead agency for P.L. 99-457. 87-61.

**74-7801. Coordinating council on early childhood developmental services; composition; appointment; terms; vacancies; meetings.**

(a) The coordinating council on early childhood developmental services shall consist of 15 members as follows:

- (1) A representative of the governor;
- (2) the secretary of social and rehabilitation services or a representative of the secretary selected by the secretary;
- (3) the secretary of health and environment or a representative of the secretary selected by the secretary;
- (4) a member of the state board of education selected by the chairperson of the state board of education or, at the discretion of the chairperson of the state board, the commissioner of education;
- (5) a representative of the board of regents selected by the chairperson of the board of regents;

(6) two selected by the so that one is a member and such same political

(7) eight ernor, three capped child three of who services for are represent

(b) The ernor under term of four first so app effective date serve for a shall designate members first are eligible

(c) Any membership the same the original

(d) A chair nually by the shall be design in the absence

(e) Final by majority

(f) The **History:** L. ch. 240, § 1;

**74-7802.**

cil on early ch established by

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76, § 6; July 1.

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(6) two members of the state legislature selected by the legislative coordinating council so that one is a member of the senate and one is a member of the house of representatives and such members are not members of the same political party; and

(7) eight members appointed by the governor, three of whom are parents of handicapped children under seven years of age, three of whom are providers of early childhood services for the handicapped, and two of whom are representative of the public at large.

(b) The members appointed by the governor under subsection (a)(7) shall serve for a term of four years, except that, of the members first so appointed by the governor after the effective date of this act, four members shall serve for a term of two years. The governor shall designate the term for which each of the members first appointed shall serve. Members are eligible for reappointment.

(c) Any vacancy occurring in the appointive membership of the council shall be filled in the same manner and from the same class as the original appointment.

(d) A chairperson shall be designated annually by the governor. A vice-chairperson shall be designated by the chairperson to serve in the absence of the chairperson.

(e) Final decisions of the council shall be by majority vote of the members.

(f) The council shall meet at least quarterly.

History: L. 1986, ch. 281, § 1; L. 1989, ch. 240, § 1; July 1.

**74-7802. Duties.** The coordinating council on early childhood developmental services established by this act shall:

(a) Solicit information and opinions from concerned agencies, groups and individuals on proposed policies and recommendations for the delivery of health, education and social services for young children from birth through age five with or at risk for handicapping conditions and for their families.

(b) Establish appropriate committees to perform tasks, gather information, and explore issues as directed by the council.

(c) Determine the work activities of a staff person to the coordinating council on early childhood developmental services.

(d) Disseminate information about the activities of the council and its actions to local, private and public service providers, parents, advocacy organizations, state agency personnel and other interested parties.

(e) Develop and implement a state plan for young children from birth through age five with or at risk for handicapping conditions and for their families.

(f) Recommend policies, procedures, and legislation for effectively providing health, education and social services.

(g) Develop interagency agreements to promote a comprehensive service delivery system for young children with handicapping conditions and for their families.

(h) Submit annual reports to the governor.

History: L. 1986, ch. 281, § 2; July 1.

**74-7803. Expenses of appointed members; staff person, appointment, compensation, assignment.** (a) The members of the coordinating council who are appointed by the governor under subsection (a)(7) [\*] shall be reimbursed for actual and necessary expenses incurred in the performance of their official duties in amounts provided for in subsection (e) of K.S.A. 75-3223, and amendments thereto. Amounts provided to be paid under this subsection shall be paid, subject to appropriations acts, from federal funds made available to the state for early childhood services for the handicapped.

(b) The coordinating council may appoint one staff person who shall be in the unclassified service under the Kansas civil service act and who shall receive compensation fixed by the coordinating council and approved by the governor. Such compensation shall be paid, subject to appropriations acts, from federal funds made available to the state for early childhood services for the handicapped. The staff person shall be assigned to the chairperson.

History: L. 1986, ch. 281, § 3; L. 1989, ch. 240, § 2; July 1.

\*Reference should be to K.S.A. 1989 Supp. 74-7801.

#### Article 79.—KANSAS WILDLIFE ARTS COUNCIL

**74-7901. Kansas wildlife arts council; composition; chairperson; staff assistance.** There is hereby created a Kansas wildlife arts council which shall be composed of five members. One member shall be a member of the Kansas wildlife and parks commission appointed by such commission, one member shall be a member of the Kansas arts commission appointed by such commission, one member shall be the director of the division of travel and tourism development of the department of

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Allm # 1.

Item

Governor's Recommendation

compared with \$1,904,806 in FY 1992 and \$1,940,121 in FY 1991. FY 1993 contracted services include \$792,676 to continue (plus \$3,134,612 to expand -- see the next paragraph) the early identification and intervention program for infants and toddlers (ages 0-2), \$350,882 for contracts with hospital-based clinics to provide diagnostic and treatment services for childhood diseases and handicaps, and \$1,015,696 for treatment paid on a fee for service basis. Treatment services include medical specialty and outpatient care, hospitalization, surgery, durable medical equipment, transportation reimbursement, speech therapy, rehabilitative physical therapy, and selected services for Kansans of any age who have congenital hypothyroidism, sickle cell disease, or hemophilia.

*Emeline*

X a. **Expansion of Infant-Toddler Program.** The agency requests \$3,194,612 from the State General Fund in FY 1993 to expand the early identification and intervention program for infants and toddlers (ages 0-2). The increase is one-third of the additional funds to be requested each year for the next three years until, in FY 1995 and thereafter the amount spent annually from the State General Fund by KDHE for the program would total \$9,583,837. Taking into account existing annual expenditures of \$5.5 million from various funding sources, the fully-funded program in FY 1995 would total between \$15.0 and \$16.0 million.

a. The Governor recommends the expenditure of \$792,676 from federal funds in FY 1993 to maintain the Infant-Toddler Program at the current level. No financing from the State General Fund is recommended to expand the program in FY 1993.

Kansas has been participating in the phased-in implementation of the Infant-Toddler federal grant pilot program (Part H of P.L. 99-457) since 1986. Once fully implemented, the community-based program is intended to provide free early identification and intervention screenings for all children under two years of age (approximately 115,800 in Kansas) to discover developmental delays and disabilities. Screenings are provided in five areas, including physical, cognitive communication and speech-language, psychosocial, and self-help skills.

Kansas is the 12th state to receive Year IV federal funding (for FY 1992). To qualify for Year IV funding, the following services must be provided: Child Find screening; a comprehensive evaluation at no cost to the parents; an Individualized Family Services Plan (IFSP) must be written; and a family services coordinator must be assigned to children determined to have a developmental delay or disability. FY 1992 statewide program expenditures are estimated to be \$5,554,363 from all federal, state, local, and private sources of money.

*PJA/W*  
*2-18-92*  
*Attn #2*  
*P91 of 2*

Item

Governor's Recommendation

Although the target date for implementing Year V in Kansas has been July 1, 1992, federal legislative action will permit Kansas to request two one-year extensions of the Year IV planning program (FY 1993 and FY 1994). KDHE estimates that to fully implement Year V services in FY 1995, annual statewide expenditures could exceed \$15 million from all sources of funds, including approximately \$9.6 million annually from new state funds. Year V services (in addition to Child Find, evaluations, a written IFSP, and the assignment of a coordinator to children) would include any of the following services listed on the IFSP:

- |                    |                             |
|--------------------|-----------------------------|
| audiology          | case management             |
| family training    | health services             |
| nursing services   | diagnostic medical services |
| nutrition services | occupational therapy        |
| physical therapy   | psychological services      |
| social work        | special instruction         |
| transportation     | speech-language pathology   |

Year IV pilot services are currently available in 65 Kansas counties. In FY 1991, 918 children under two years of age were identified as evaluated and receiving early intervention services (less than one percent of the 115,800 children in this age group). KDHE estimates that under a fully-funded Year V program, three percent, or 3,474, of the children in this age group would be eligible for services. FY 1995 costs are based on the following formula: 3,474 children x \$4,300 (cost of service per child) + \$200,000 (screening and monitoring costs) = \$15,138,200.

**J. Division of Environment.** The agency requests \$43,693,009 and 273.0 FTE positions in FY 1993 for the Division of Environment, an increase of \$802,427 and 51.5 FTE positions above the FY 1992 estimate of \$42,890,582. The request includes financing of \$3,911,207 from the State General Fund, an increase of \$134,513. Actual FY 1991 expenditures were \$15,140,287.

**K. Waste Management Program.** The agency requests an operating budget of \$4,285,956 for the Waste Management Program in FY 1993, an increase of \$2,381,214 above the current year estimate of

J. The Governor's FY 1993 recommendation includes \$38,981,954 for the Division of Environment, a reduction of \$4,711,055 from the amount requested. The recommendation includes financing of \$3,729,334 from the State General Fund (a reduction of \$181,873), and \$35,252,620 from other funds (a reduction of \$4,529,182). For FY 1992, the Governor's recommendation of \$40,943,966 is a reduction of \$1,946,616 from the amount estimated. The recommendation would finance 226.5 FTE positions in FY 1993, a reduction of 46.5 FTE new positions. The FY 1993 recommendation includes financing for 5.0 FTE new positions and five new special project positions.

K. The Governor recommends \$2,129,732 for the Waste Management Program in FY 1993, a reduction of \$2,156,224 from the agency's request. The recommendation includes \$506,463 from the State General

*PHW*  
*2-18-92*  
*Attor #2*  
*Pg 282*  
Health and Environment





Department of Health and Environment

Azzie Young, Ph.D., Secretary

Reply to:

TESTIMONY PRESENTED TO

HOUSE PUBLIC HEALTH AND WELFARE COMMITTEE

BY

THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

HOUSE BILL 2759

My name is Marnie Campbell, and as Coordinator of Infant-Toddler Services in Kansas, I am testifying in support of House Bill 2759. For nearly four years, the Kansas Department of Health and Environment has been planning and beginning its implementation of Federal legislation for early intervention services to families whose infants and toddlers are disabled.

This early intervention program, also referred to as the Infant-Toddler Services, has been developed by Health and Environment in collaboration with Education and SRS on an interagency basis in order to ensure that Kansas has a comprehensive, multidisciplinary system to serve infants and toddlers with disabilities and their parents.

This bill has two main parts: First, it is the enabling legislation so that our agency has the capability to create rules and regulations necessary to set up a statewide early intervention system. This is in accordance with Federal legislation, the Individuals with Disabilities Education Act.

The second part of the bill defines the role of the State Interagency Coordinating Council as: "to advise and assist the lead agency," which in Kansas is the Department of Health and Environment. Incorporating this language into Kansas statute is necessary for our State to be consistent with Federal legislation.

On behalf of Kansas families whose infants and toddlers have disabilities, thank you for your support of this bill.

Presented by:

Marnie Campbell  
Coordinator, Infant-Toddler Services  
February 18, 1992

*PHW  
2-18-92  
attn #3*



TESTIMONY PRESENTED TO  
PUBLIC HEALTH AND WELFARE COMMITTEE

BY

KANSAS INTERAGENCY COORDINATING COUNCIL ON EARLY  
CHILDHOOD DEVELOPMENTAL SERVICES

February 18, 1992

House Bill 2759

Chairman Sader, Members of the Committee:

I am testifying in support of HB 2759 on behalf of the Coordinating Council on Early Childhood Developmental Services. I am the Chair of the Council. The Coordinating Council has a charge by federal statute to advise and assist the lead agency - in this case - the Kansas Department of Health and Environment as they implement services for children 0-3 years of age with disabilities. The passage of this bill would allow KDHE to promulgate rules and regulations in order that this system of early intervention be consistent across the State. This is necessary in order to accomplish the federal initiative of working toward services for children with disabilities 0-5. To the Coordinating Council and those working with children with disabilities, it is important to promote optimal development and overall well being of these children and their families.

In addition, the proposed bill would bring the authorizing state statute for the Coordinating Council into harmony with the federal law by adding to the Coordinating Council's job description, the role of advising and assisting the lead agency.

Thank you for making a difference for the children of Kansas.

Presented by:  
Dr. Nancy Peterson  
Chair, Coordinating Council on  
Early Childhood Developmental Services  
Professor of Special Education  
University of Kansas

*PJP/W*  
*2-18-92*  
*Attn #4*



*Hope through understanding*

February 18, 1992

TO: Rep. Carol Sader, Chair  
Members of the House Public Health and Welfare  
Committee

FROM: Lila Paslay, Chair  
Bob Geers, Coordinator  
Legislative Affairs

RE: H.B. 2759

I am here today representing the 5,000 members of the Association for Retarded Citizens of Kansas.

The association has been a strong advocate for prevention and early intervention since it was organized in 1955. We have worked diligently at the state and federal level to provide opportunities for school and other agencies delivering services to take advantage of the technology available for improving the quality of life for children with disabilities and their families.

H.B. 2759 would assist the Department of Health and Environment in putting a statewide system in place for the provision of the services to children birth to two years.

We all know the significant difference early intervention can have for children with disabilities. In a time when research continues to tell us that the best investment we can make is in the area of prevention and early intervention, we hope you will respond by approving this bill for passage and continue to support these efforts through the Department of Health and Environment budget.

We urge your support of H.B. 2789.

*P.H.W.  
2-18-92  
Attn # 5*

HOUSE BILL # 2759

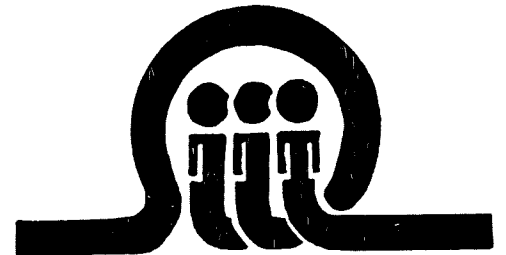
I'm Josie Torrez from Families Together, Inc. Families Together is the Parent Center for the State of Kansas assisting families across the State that have children with disabilities ranging from very mild to severe.

I'm here today to speak in support of Bill # 2759. Since I speak to many families everyday, I hear the majority of parents speaking as I also feel. That being the case, we feel that the Kansas Department of Health and Environment should have the ability to have state rules and regulations so it can be consistent statewide for Infants and Toddlers.

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*her child is a success story.*

*PKT  
2-18-92  
attn # 6.*



**FAMILIES TOGETHER, INC.**

1023 S.W. Gage Boulevard  
Topeka, KS 66604

(913) 273-6343 or  
toll-free in Kansas  
1-800-332-6262

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The following topics are just some of the resources available through the Families Together parent center:

- Acceptance/Awareness
- Adaptive Equipment
- Community Based Instruction
- Comprehensive Evaluation
- Computers
- Disability Fact Sheets
- Disability Support Groups
- Early Childhood Issues
- Health Issues
- I.E.P. Development
- Integration/Inclusion
- Siblings
- Transition

Videos available for loan:

**General**

- \* Choices & Opportunities
- \* Meeting Medical Bills
- \* My Child Has A Disability
- \* Parent/Professional Cooperation
- \* Our Baby Has Down Syndrome
- \* Richard Simmons-Reach for Fitness- Exercises for Persons with a Disability
- \* Self Advocacy: The Road Toward Independence
- \* The Other Child/Brothers and Sisters
- \* Unforgettable Pen Pal - A story of Prejudice & Discrimination
- \* They Don't Come With Manuals
- \* What a Life
- \* Hidden Keys to Loving Relationships
- \* Combining Community and School Instruction
- \* Learning Independence

**Early Childhood**

- \* Creating A Vision: The IFSP
- \* Integrated Education for Infants & Toddlers: Where Does It Happen?
- \* Taking Charge: IFSP - Family Centered Case Management

**Inclusion/Integration**

- \* Collaborative Teaming & Inclusion
- \* In The Middle
- \* Integrated Education - Realizing A Vision
- \* Jenny's Story (High School)
- \* Kids Belong Together
- \* Learning Together
- \* MAPS
- \* Regular Lives
- \* Save A Place For Me In Kindergarten
- \* With A Little Help From My Friends

**Educational Rights**

- \* Conference or Confrontation
- \* Educational Rights - Office of Civil Rights
- \* Good/Bad IEP Examples

**Transition School to Adult**

- \* Bridging The Gap
- \* Families Facing Transition to Adult Life
- \* Supported Employment

\_\_\_\_\_  
YES, My family would like to attend a Family Enrichment Event!!

\_\_\_\_\_  
YES, I would like to volunteer to assist as a companion at a Family Enrichment Weekend!

\_\_\_\_\_  
YES, I am interested in attending a Statewide Conference.

\_\_\_\_\_  
YES, Please add my name to the FAMILIES TOGETHER Mailing List to receive the FAMILIES TOGETHER quarterly newsletter.

NAME: \_\_\_\_\_

ADDRESS \_\_\_\_\_

TELEPHONE: ( \_\_\_\_\_ ) \_\_\_\_\_  
If no phone, How can you be reached? \_\_\_\_\_

Mail this form to : FAMILIES TOGETHER, INC., 1023 SW Gage Blvd., Topeka, KS 66604

- \* Upon receipt of this form, we will send you information regarding the area you have specified.
- \* Families may attend one Family Weekend every two years.

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## WHAT IS FAMILIES TOGETHER?

Families Together, Inc. is a statewide organization that serves families that include a child with a disability. The program's mission is to provide families the security of belonging to a group of caring individuals with similar goals, challenges, and needs. Parents are informed as to the availability of resources and services throughout the state and receive assistance in making maximum use of such services.

Families Together serves the entire family with education, support, access to resources, and opportunities to learn and have fun together.

## HOW FAMILIES TOGETHER HELPS

Families are assisted in three ways:

\*\*Through the Training and Resource Center in Topeka. The Center is open 8:00 AM to 3:00 PM Monday through Friday. The Center offers:

Parent Assistance  
Literature  
Videos  
Information  
Referrals

\*\*Workshops on a wide variety of topics conducted by Families Together staff members and parent trainers.

\*\*Family Enrichment Events held at hotel recreational facilities in various locations across Kansas. Each Event is a very special time for about 40 families, with activities to educate and entertain all family members.

## MORE ABOUT FAMILY ENRICHMENT EVENTS

At Family Enrichment Events, children and youth with a disability, their parents, and brothers and sisters learn new and better ways to handle the challenges and responsibilities they face. They also have a lot of fun together!!

Activities include:

- Workshops for parents. Topics range from education rights to family living issues.
- Support and discussion groups. By sharing their concerns with others in similar situations, family members learn to handle challenges more effectively.
- Activities for children. Each child participates in a variety of activities. A volunteer companion is assigned to each child for the event.
- Individual Family Packets. Each packet contains information specific to their child's disability, age, and geographic location.

## MORE ABOUT FAMILIES TOGETHER WORKSHOPS AND CONFERENCES

Families Together workshops cover a variety of topics including:

### EARLY CHILDHOOD DIRECTIONS

Part I: The IFSP (Individualized Family Service Plan)

Part II: Preschool: The Next Step

SPECIAL EDUCATION LAW AND YOU  
I.E.P. (Individualized Education Plan)  
DEVELOPMENT  
TRANSITION SCHOOL TO ADULT

These workshops are free and open to parents, professionals, and others interested in furthering their knowledge of children with a disability. To get notification of the dates and locations of these workshops, be certain that you are on the Families Together mailing list.

Families Together also sponsors one to two statewide conferences per year. Nationally known speakers are invited to present on current issues of interest to parents and professionals.

## HOW CAN WE FIND OUT MORE ABOUT FAMILIES TOGETHER?

A slide/tape presentation about the many Families Together services is available upon request. The presentation is made by a staff member, board member, or family member that has participated in an Enrichment Event.

To request a presentation for your organization, contact the Families Together Parent Center at:

**(913) 273-6343 or  
toll-free 1-800-332-6262**

Families Together, Inc. is part of Project Number 1731212959A1 from the U.S. Department of Education, Special Education Programs, Department of Personnel Preparation. Governed by a Board of Directors made up of parents, professionals, and others interested in special needs families, Families Together has been organized since 1982.

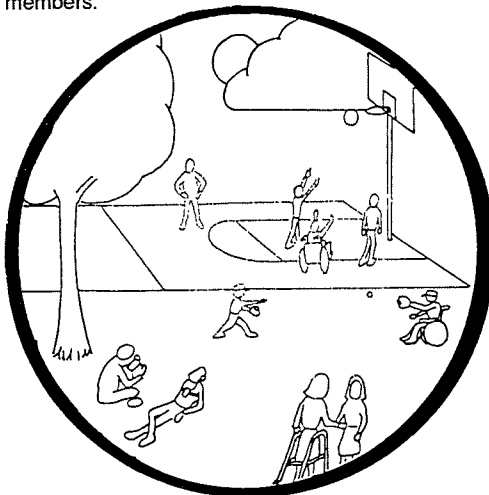
## ADDITIONAL PROGRAMS

**EDUCATION ADVOCATE PROGRAM:** There are 300 children with disabilities in Kansas whose parents are unknown or unavailable or whose parental rights have been terminated. These exceptional children need someone to represent them in special education matters. The Kansas State Board of Education and Kansas State Department of Social and Rehabilitation Services have developed the Education Advocate Program to meet this need. Education Advocate workshops are provided by Families Together, Inc. through a contract with the Kansas State Board of Education.

**SSI PARENT MENTORS:** Social Security Administration administers a program called Supplemental Security Income (SSI) which pays monthly benefits to the elderly, the blind, and persons with disabilities, including children. Certain criteria must be met to qualify. A recent court decision has redefined eligibility criteria for children.

The National Parent Network on Disabilities (NPND), and the Social Security Administration (SSA) approved a 17 month cooperative project titled, "National Supplemental Security Income (SSI) Demonstration for Persons with Disabilities." Activities of the project are: (1) providing national outreach to parents through networking; and (2) to provide training of parent volunteers to assist other parents to negotiate the system.

Families Together, Inc. is working with NPND to demonstrate the ability of "parents helping parents" to access SSI benefits. There are 28 trained volunteer parent mentors and other interested persons who may provide information and assistance during the application process.



pg 2-2  
Att # 6  
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2-18-92

EDUCATIONAL PROGRAMS

Pharmacology Programs

	Clock Hours
Professional Nurse Programs AD-BSN, 2-4 years	70 - 135
Practical Nurse 1 year	35 - 56
 NOTE: Additional pharmacology is continually integrated throughout all of the clinical situations for RN/LPN (medications and administration)	
Certified Aide/Medication Aide 90 hours	60
SRS Care Worker 15 hours (first aid)	Proposed 12

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2-18-92  
Attn # 7

STATE OF KANSAS • HOUSE OF REPRESENTATIVES

CAROL H. SADER

Representative, Twenty-second District, Johnson County  
8612 Linden Dr., Shawnee Mission, Kansas 66207

---

**memorandum**

February 18, 1992

Copies of this letter are being mailed  
to:--

Senator Dole  
Senator Kassebaum

Congressman Roberts  
Congressman Slattery  
Congresswoman Meyers  
Congressman Glickman  
Congressman Nichols

*Attn # 8  
P.H.S.  
2-18-92  
Pg 1-3*

**CAROL H. SADER**  
REPRESENTATIVE, TWENTY-SECOND DISTRICT  
JOHNSON COUNTY  
8612 LINDEN DR.  
SHAWNEE MISSION, KANSAS 66207  
HOME: (913) 341-9440  
CAPITOL OFFICE: (913) 296-7675



TOPEKA

HOUSE OF  
REPRESENTATIVES

February 18, 1992

COMMITTEE ASSIGNMENTS  
CHAIRPERSON: PUBLIC HEALTH AND WELFARE  
CHAIRPERSON: JOINT COMMITTEE ON HEALTH  
CARE DECISIONS FOR THE  
1990'S  
VICE-CHAIRPERSON: ECONOMIC DEVELOPMENT  
MEMBER: PENSIONS, INVESTMENTS AND BENEFITS  
JOINT COMMITTEE ON ECONOMIC  
DEVELOPMENT

The Honorable Nancy Landon Kassebaum  
United States Senate  
302 Russell Senate Office Building  
Washington, D. C. 20510

Dear Senator Kassebaum:

The Committee on Public Health and Welfare of the House of Representatives of the Kansas Legislature has voted to alert the members of the Kansas Congressional Delegation to a serious problem created by an apparent conflict arising from federal law and to ask that you initiate action to resolve the conflict.

On September 1, 1991, the State of Kansas implemented a change in the manner in which eligibility is established for nursing home services under the Kansas Medicaid program. On September 1, the state implemented an income eligibility cap at 300 percent of the Supplemental Security Income standard for one person as is allowed by federal law and regulations. Our experience with this change has brought to light an apparent conflict between the federal provisions allowing an income limit and the section of Title XIX of the Social Security Act that contains the spousal impoverishment provisions [Section 1924 (d)] under which a deduction from the income of an institutionalized spouse may be made for the support of the spouse who remains in the community. The Social Security Act provisions do not allow such income deduction to be utilized prior to eligibility determination for Medicaid but only for determining the liability of the institutionalized spouse for his or her payment for the cost of care in a nursing facility. In other words, the spousal impoverishment provisions apply post eligibility.

The House Committee on Public Health and Welfare believes the intent of the Congress in enacting the spousal impoverishment provisions was to protect a spouse who remains in the community from impoverishment when a nursing facility placement is the appropriate service for such person's spouse. Yet, examples of the actual application of the federal law indicate that by not allowing an income deduction to be taken for the purpose of determining eligibility this intent is thwarted. Further, the Committee became aware of the fact that couples whose combined income is identical may be treated differently in terms of eligibility solely because of the manner in which the income is paid to the parties, *i.e.*, based on which spouse is the income recipient.

2-18-92  
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Pg 2 - 3



The House Committee on Public Health and Welfare solicits your immediate assistance in addressing this problem through an amendment to Section 1924 (d) of Title XIX of the Social Security Act.

We, and the elderly Kansans who are and who will be adversely affected, thank you for your attention to this matter.

Sincerely,

Representative Carol Sader, Chair  
House Committee on Public Health and Welfare  
Kansas House of Representatives

Members of the House Committee:  
Representative Steve Wiard, Vice-Chair  
Representative Gene Amos  
Representative Tom Bishop  
Representative Tim Carmody  
Representative Ann Cozine  
Representative Dorothy Flottman  
Representative Joann Flower  
Representative Bob Grant  
Representative Ruth Ann Hackler  
Representative Tom Love  
Representative Eloise Lynch  
Representative Melvin Neufeld  
Representative Sandy Praeger  
Representative Ellen Samuelson  
Representative Alex Scott  
Representative Susan Wagle  
Representative Galen Weiland  
Representative Allan White

92-0207/CS

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*2-18-92*  
*atten #8*  
*pg 3-3*

# HOUSE BILL No. 2760

By Committee on Public Health and Welfare

1-23

8 AN ACT concerning mortuary arts; relating to licensure and regu-  
9 lation of embalmers, funeral directors and funeral establishments;  
10 amending K.S.A. 1991 Supp. 65-1713a, 65-1729 and 65-1751 and  
11 repealing the existing sections.

12  
13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 1991 Supp. 65-1713a is hereby amended to  
15 read as follows: 65-1713a. (a) A "funeral establishment," as the term  
16 is used herein, is a place of business [or branch thereof] conducted,  
17 used and equipped for funeral services, or for the retail sale or  
18 display of funeral merchandise, or for the care and preparation for  
19 burial or transportation of dead human bodies, or for any or all of  
20 the above purposes. It shall be conducted at a fixed and specific  
21 street address or location and shall contain a preparation room  
22 equipped with a sanitary floor, walls and ceiling, with adequate  
23 sanitary drainage and disposal facilities, good ventilation and light,  
24 and the necessary instruments, equipment and supplies for the prep-  
25 aration and embalming of dead human bodies for burial or trans-  
26 portation. The preparation room shall be separate from the display  
27 room and chapel, and shall not be a part of the living quarters. Each  
28 establishment [or branch thereof] must have or employ a Kansas  
29 licensed embalmer for all embalming work, if the funeral director  
30 in charge of the establishment is not a Kansas licensed embalmer.  
31 Each establishment [or branch thereof] shall be under the personal  
32 supervision and charge of a [supervision of [the] Kansas licensed [personal  
33 funeral director [in charge of the establishment] [a

34 (b) The provisions and requirements herein contained shall apply  
35 to all branch establishments as well as principal establishments, ex-  
36 cept that:

37 (1) Only a person who holds a the [funeral director] who holds  
38 the funeral establishment license and who would wholly own the  
39 branch establishment shall be eligible to apply for a branch es-  
40 tablishment license;

(2) a branch establishment is not required to contain a preparation  
room or to be a place where dead bodies are prepared for burial  
or transportation; [and]

[personal  
[a

in charge of establishment  
[supervising

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Att # 9

PH & W  
2-18-92  
Att # 9

(3) a branch establishment ownership shall be identical to the ownership of the funeral establishment which owns the branch;

(4) the funeral director responsible for the personal supervision of the funeral establishment also shall be responsible for the supervision of all branches of that funeral establishment; and

(5)

**(3)** a branch establishment is not required to be under the personal supervision and charge of a licensed funeral director.

Sec. 2. K.S.A. 1991 Supp. 65-1729 is hereby amended to read as follows: 65-1729. (a) ~~Every~~ *The funeral director in charge of a* funeral establishment, as defined by K.S.A. 65-1713a and amendments thereto, including any branch establishment, located or doing business within the state shall apply for and obtain a funeral establishment license or branch establishment license, as appropriate, from the state board of mortuary arts for each location within the state of such funeral establishment or branch establishment.

(b) An application for a new license is required if the funeral establishment or branch establishment changes ownership, name or location. Such application shall be made to the state board of mortuary arts at least 30 days prior to such change of ownership, name or location.

(c) The funeral establishment license fee or branch establishment license fee shall be fixed by the state board of mortuary arts under K.S.A. 65-1727 and amendments thereto and shall be due and paid to the state board of mortuary arts on or before the expiration date of such license. The disposition of all funds collected under the provisions of this act shall be in accordance with the provisions of K.S.A. 65-1718 and amendments thereto.

(d) Each funeral establishment license or branch establishment license shall expire every two years on a date established by the state board of mortuary arts by duly adopted rules and regulations.

Sec. 3. K.S.A. 1991 Supp. 65-1751 is hereby amended to read as follows: 65-1751. (a) The state board of mortuary arts may refuse to issue or renew a license, may revoke or suspend a license or may publicly or privately censure a licensee, upon a finding that a licensee or applicant for a license:

(1) Has committed fraud or misrepresentation in applying for or securing an original or renewal license;

(2) has committed an act of unprofessional or dishonorable conduct or professional incompetency;

(3) has been convicted of a felony, and the board determines the licensee or applicant for a license has not been sufficiently rehabilitated to warrant the public trust, or has been convicted of any offense involving moral turpitude;

(4) has violated any law, ordinance or rule and regulation affecting the handling, custody, care or transportation of dead human bodies;

(5) is rendered unfit to practice embalming or funeral directing by reason of illness, chemicals or other types of substances, or as a result of any mental or physical condition when certified by a phy-

*PH & W  
2-18-92  
Attorney # 9  
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# HOUSE BILL No. 2762

By Committee on Public Health and Welfare

1-23

*J. Peterson*  
*Secretary Assn*  
*Funeral Directors*  
*Bonding*  
*Amendment*

8 AN ACT concerning prearranged funeral agreements; amending  
9 K.S.A. 1991 Supp. 16-302 and repealing the existing section.

10  
11 *Be it enacted by the Legislature of the State of Kansas:*

12 Section 1. K.S.A. 1991 Supp. 16-302 is hereby amended to read  
13 as follows: 16-302. Except as authorized by K.S.A. 16-308, and  
14 amendments thereto, all ~~such money shall be deposited in such~~  
15 ~~bank, credit union or savings and loan association and shall be~~  
16 ~~payments under] any agreement, contract or plan governed by K.S.A.~~  
17 ~~16-301 and amendments thereto shall be:~~

(a) funds received on

18 ~~(a) Made in the form of checks, cashiers checks or money orders~~  
19 ~~payable only to the bank, credit union or savings and loan association~~  
20 ~~where deposited;~~

deposited within 30 days of receipt in such bank, trust company, credit union or savings and loan association and shall be

21 ~~(b) deposited in such bank, credit union or savings and loan~~  
22 ~~association within five business days after receipt by the seller; and~~

23 ~~(c) held by such bank, credit union or savings and loan association~~  
24 in a separate account in the name or names of the purchaser of the  
25 merchandise or services and the name of the seller, until released  
26 as herein provided.

27 Sec. 2. K.S.A. 1991 Supp. 16-302 is hereby repealed.

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

(b) In addition to the requirements set out in paragraph (a) herein, a seller which accepts payment under any agreement, contract or plan governed by K.S.A. 16-301 and amendments thereto shall:

1. require such payments to be made in the form of checks, cashiers checks or money orders payable only to the bank, credit union or savings and loan association where deposited; and

2. deposit such payment in such bank, credit union or savings and loan association within seven business days after receipt.

(c) A seller of agreements, contracts or plans governed by K.S.A. 16-301, and amendments thereto, shall be exempt from the requirements of paragraph (b) above if the seller maintains commercial insurance providing minimum coverage of \$100,000 against employee dishonesty. Evidence of the commercial insurance maintained for compliance with this paragraph shall be provided to the secretary of state within 10 days of a written request. Each funeral establishment which accepts payments from a purchaser of an agreement, contract or plan governed by K.S.A. 16-301, and is exempt from paragraph (b) above, <sup>with</sup> shall file with the Board of Mortuary Arts <sup>with</sup> each establishment license renewal required under K.S.A. 65-1729 evidence of the commercial insurance maintained for compliance with this paragraph.

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