

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES.

The meeting was called to order by Chairperson Carlos Mayans at 1:30 p.m. on February 20, 1995 in Room 423-S of the State Capitol.

All members were present except: Representative Greta Goodwin - excused  
Representative Nancy Kirk - excused  
Representative Kay O'Connor - excused

Committee staff present: Norman Furse, Revisor of Statutes  
Bill Wolff, Legislative Research Department  
Lois Hedrick, Committee Secretary

Conferees appearing before the committee: Representative Melvin Neufeld  
Representative Fred Gatlin

Others attending: See Guest List, Attachment 1.

**HB 2306 - Method of selection of board members of district hospital**

The hearing on **HB 2306** was opened. Representative Melvin Neufeld testified in support of the bill stating it is a result of a situation involving the Sublette Hospital District. Their board voted to cause the hospital's board election to coincide with the school board election and so it was placed on the ballot. After that was done, they found the current board's term of office expired, leaving almost a year without board members. All this bill does is to allow the members presently serving on the board to continue their term of office until the new members are duly elected. A similar situation occurred in 1984 for the Mineola District--they made the same request and the Legislature passed the law to allow them to extend the term of office, like that proposed in this bill. This year, in order not to come to the Legislature each time a situation like this occurs, **HB 2306** was broadened to make it apply to all hospital districts.

Representative Rutledge asked if the bill deals with all hospitals. Representative Neufeld answered it applies to district hospitals, not county hospitals. A district hospital may encompass portions of several counties; and has taxing authority. Representative Hutchins asked if a district hospital and a community hospital are the same? Representative Neufeld replied that it was possible, but the licensing of the hospital determines its status.

Representative Fred Gatlin spoke in support of **HB 2306**, stating it provides flexibility to ease the transition to different timing for board elections. He also asked the committee to consider attaching **HB 2303** (county hospital defined to include limited care residential facility). That bill would permit county hospitals the ability to be involved in Assisted Living projects, the same as District Hospitals (see Attachment 2). Representative Gatlin stated there is a county-owned hospital in his district that would like to add Assisted Living care facilities.

Chairperson Mayans asked about the germaneness of placing **HB 2303** with **HB 2306**. Representative Gatlin answered it is an attempt to find a vehicle to get the bill acted on this year to meet some deadlines that might exist.

The hearing on **HB 2306** was closed.

Chairperson Mayans then asked the committee if it would consider action on **HB 2245** (regulation of smoking in public places, state preemption of local regulation of cigarettes and tobacco products) which was heard on February 13, 1995. Representative Freeborn asked if Section 8 meant that no local jurisdiction can control advertising, sampling or disposal of tobacco products. Mr. Furse replied that **HB 2245** would control. Representative Freeborn moved that the bill be amended on lines 5-9 by striking the word

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“marketing,” beginning on line 5, and the words on lines 6-9, “advertising, sampling, promotion, display or smoking of cigarettes and tobacco products, or any limitation of competition of tobacco products by any restriction of the use of coupons, discounts, promotional allowances or premiums.” Representative Hutchins seconded the motion. Mr. Furse explained that the proposed amendment would mean that local units of government would be preempted from this bill’s provisions. Presently section 8 preempts them from enacting ordinances or regulations differing from the state mandate. On voice vote, the motion failed.

Representative Rutledge moved that **HB 2245** be not passed. Representative Freeborn seconded the motion. On voice vote, the motion failed.

Representative Morrison moved that **HB 2245** be passed without recommendation. Representative Landwehr seconded the motion. On voice vote, the motion was adopted. Representative Freeborn asked that her “No” vote be recorded.

The meeting was adjourned at 2:12 p.m.

The next meeting is scheduled for February 21, 1995.

HOUSE COMMITTEE ON HEALTH AND HUMAN  
SERVICES COMMITTEE  
GUEST LIST  
FEBRUARY 20, 1995

NAME	REPRESENTING
Joe Fujita	KCA
KEITH R LANDIS	CHRISTIAN SCIENCE CONGR ON PUBLICATION FOR KS
PHILIP HURLEY	PATRICK J. HURLEY & CO.
Stacey Empson	Acin, Ebert & Weir
Harold Richm	KAOM
John Federico	Pete McGill + Assoc
Tom Bell	Ks. Hosp. Assn.
Rebecca Rice	KPAA & KSOS
Michelle Peterson	Ks. Gov. Consulting
Mark Sandwick	
David Sandwick	
Doug Smith	Ks. Society of Anesthesiologists
Chip Wheelen	Ks Medical Society
KATHY PETERSON	PETE MCGILL & ASSOC.

FRED GATLIN  
REPRESENTATIVE, 120TH DISTRICT  
CHEYENNE, RAWLINS, DECATUR,  
NORTON, WESTERN PHILLIPS  
610 MAIN  
ATWOOD, KANSAS 67730



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HOUSE OF  
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

MEMBER: APPROPRIATIONS  
SUBCOMMITTEES:  
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GOVERNMENT  
KPEERS AND RETIREMENT ISSUES  
K-12 SCHOOL FINANCE  
HEALTH CARE REFORM  
LEGISLATIVE OVERSIGHT  
TELECOMMUNICATIONS STRATEGIC  
PLANNING

Testimony for Health and Human Services Committee

February 20, 1995

RE: HB 2306

Chairman Mayans and Members of the Committee:

I am here today for two purposes. First, I am here in support of Rep. Neufeld's bill. I think it provides the flexibility and needed language to ease transition to different timing of elections. During times of conducting elections, it is very narrowly drawn specific circumstances that eases the transition.

I would also like to speak to you about HB 2303. HB 2303 clarifies the language and allows a county-owned hospital to be involved in Assisted Living projects. Since the Committee has not chosen to schedule hearings on this bill, I have no option but to ask you to consider adding it to HB 2306 as you work the bill in Committee. This would allow County Hospitals the same ability as District Hospitals in non-acute care. I believe both are non-controversial, perhaps even to the point of being considered for Consent Calendar. Both meet needs in specific hospitals. I know of no adverse effect of either bill and ask that you consider attaching HB 2302 to HB 2306.

I will stand for questions.

Representative Fred Gatlin

HOUSE H&HS COMMITTEE  
2 - 20 - 1995  
Attachment 2