

Approved: February 7, 1995
Date

MINUTES OF THE SENATE COMMITTEE ON COMMERCE.

The meeting was called to order by Chairperson Alicia Salisbury at 8:00 a.m. on February 6, 1995 in Room 123-S of the Capitol.

Members present: Senators Salisbury, Burke, Downey, Feleciano, Gooch, Harris, Hensley, Reynolds, Steffes and Vidricksen.

Committee staff present: Lynne Holt, Legislative Research Department
Jerry Donaldson, Legislative Research Department
Bob Nugent, Revisor of Statutes
Betty Bomar, Committee Secretary

Conferees appearing before the committee:
George Gomez, Director, Workers' Compensation

Others attending: See attached list

Upon motion by Senator Burke, Seconded by Senator Reynolds, the Minutes of the February 3, 1995 meeting were unanimously adopted.

George Gomez, Director of Workers Compensation proposed that the focus of the Kansas Accident Prevention and Safety Program provided for in K.S.A. 44-5,104 be shifted from inspection of insurance companies to voluntary compliance by employers. It is suggested that the Department form a partnership with insurance companies to perform the function of oversight and training and to utilize the expertise of the Department's staff to a better advantage. It is anticipated that the Department would continue to review the insurance company records as required by statute and to fulfill the statutory requirements of accident prevention for the state self-insurance program; however, the greatest assistance would be given small businesses. Small businesses are generally overlooked as it is more difficult to get insurance companies to provide the necessary services and training at that premium level.

The Chair reviewed the intent of the legislation passed in 1993, and reminded the Committee of the reason for the permissive wordage of the statute. Senator Salisbury raised a couple of concerns: (1) cost; and (2) potential liability for the state. Mr. Gomez replied that the cost would be borne by the Division and it would be only a matter of readjustment of funds; as to liability, this would have to be researched prior to a conclusive response.

Questions were asked Mr. Gomez as to whether the program was working and the yardstick by which the program could be measured. Mr. Gomez responded that there was not a way in which the program could be measured at this time, however, there are some national benchmarks that are being considered and should be in place soon. He also acknowledged that there still exists a number of employers throughout the state who are not aware of the assistance available for safety programs through either the insurance industry or the Workers Compensation Division.

Mr. Gomez concluded his remarks by stating that his proposal has been submitted to the Secretary for his review.

The Committee adjourned at 9:00 a.m.

The next meeting is scheduled for Tuesday, February 7, 1995

SENATE COMMERCE COMMITTEE GUEST LIST

DATE: 2-6-95

NAME	REPRESENTING
Alice Olson	
Bill Curtis	Ks Assoc of School Bds
Terry Heatheman	KCCI
Benny Korman	
David Shufelt	Division of Workers Comp
JANET STURBS	KBIA
Danny Kuchelman	Division of Workers Comp
Jamie Beletz	State of Ks
B. Mariani	Dpt. of Adm.
Steven Votny	DoA
Roger Beschlimmer	KDHR
Tom Wilder	Kan Dept of Insurance
Terri Venve	LOA
Marla Rhoden	DoA
Deane Guy	KDHR
KEVIN ROBERTSON	BARBEE & Assoc.
Mark Barcellona	KDOCH
Bred Smoot	AIA