

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 13, 1996 in Room 423-S of the State Capitol.

All members were present except: Representative Goodwin
Representative Yoh

Committee staff present: Emalene Correll, Legislative Research Department
Norman Furse, Revisor of Statutes
Bill Wolff, Legislative Research Department
Francie Marshall, Committee Secretary

Conferees appearing before the committee:
Carol Macdonald, Kansas Dental Board
Dr. Taylor Markle, Surgeon, Shawnee, KS
Richard Morrissey, Health and Environment

Others attending: See Guest List: Attachment 1

Chairperson Mayans opened the hearing on **HB 2813**.

HB 2813 - Dental Practices act amendments

Carol Macdonald, Kansas Dental Board, presented testimony in support of **HB 2813**. She stated the bill would change the annual license renewal process from annual to biennial and it would allow dental hygienist to submit directly to the Governor their candidates for position on the board (Attachment 2).

Discussion followed Ms. Macdonald's testimony. Several questions were addressed regarding incentives of paying fees on time, the cost savings of the renewal process and the dental hygienist fee.

David Hanzlick, Assistant Director of Kansas Dental Association, introduced Dr. Taylor Markle, Legislative Chairman for the Kansas Dental Association, who then presented testimony in support of **HB 2813** (Attachment 3).

Discussion followed Dr. Markle's testimony. Comments were made about the extension of eighteen months as opposed to one year in regards to keeping the estate of a dentist before being sold. Ms. Correll suggested that language be amended concerning a provision for off year prorating fees.

Hearing on **HB 2813** was closed.

HB 2867 - Physician's assistant included within definition of charitable health care provider.

The hearing on **HB 2867** was opened.

Richard Morrissey, Health and Environment, testified in support of **HB 2867** (Attachment 4).

Discussion followed Mr. Morrissey's testimony. There were concerns about physician's assistant practicing independently and the coverage provided for them. As to the questions regarding physician's assistant renewal to provide services, Larry Buening indicated that a physician's signature is required.

Written testimony of Tracy Turgeon, Kansas Academy of Physician Assistants, was distributed to members (Attachment 5).

The hearing on **HB 2867** was closed.

Chairperson Mayans then called for action on the following bills.

HB 2813 - Dental practices act amendments

The committee discussed the proposed amendments concerning partial biennial licenses. On motion of Representative Gerringer, seconded by Representative O'Connor, the committee adopted the amendment to HB 2813, on page 7, in line 4, after the period, by inserting: "The board may adopt rules and regulations for the proration of fees a license issued for a period of time less than the biennial licensure period." On motion of Representative O'Connor, seconded by Representative Freeborn, the committee voted to pass HB 2813 as amended. Representative O'Connor will carry the bill.

HB 2867 - Physician's assistant included within definition of charitable health care provider

Following discussion, Representative Freeborn moved and Representative Merritt seconded the motion, that HB 2867 be passed. The committee voted favorably to pass HB 2867. Representative Haley will carry the bill.

HB 2938 - Enacting the Women's Right-to-Know Act

Representative Haley raised some concerns about issues that needed to be worked out in committee and offered a substitute motion to postpone taking action on the bill. The motion was seconded by Representative Kirk. The substitute motion failed.

On motion of Representative Gilmore, seconded by Representative Hutchins, the committee voted to pass HB 2938. Representatives Kirk, Flaharty, and Haley requested their "No" vote be recorded. Representative Wagle will carry the bill.

The meeting was adjourned at 2:35 p.m.

Next meeting is scheduled for February 14, 1996.

House Health & Human Services COMMITTEE GUEST LIST

DATE February 13, 1996

NAME	REPRESENTING
Carol L. Macdonald	Kansas dental board
Naylor J. Marble	Kansas Dental Association
John C. Botterby	Delta Dental
Mike Mearhan	CCK
Ruth Mars	KHI
Melissa Wangemann	Heen, Ebert & Weir
Joyce Walker	
KETHA R LANDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATIONS FOR KANSAS
Richard Morrissey	KDHE
Tom Bell	KHA
David Hamzlick	KS Dental Assn
Jeanne Wilcox	KSHW

H+HS Comm
2-13-96
attn # 1



BILL GRAVES
GOVERNOR

BOARD OF DENTAL EXAMINERS

KANSAS DENTAL BOARD
BUSINESS OFFICE
3601 SW 29TH STREET, S-134
TOPEKA, KANSAS 66614-2062
TELEPHONE NO. (913) 273-0780

February 13, 1996

Chairman Mayans
Members of the Committee

House Bill No. 2813 has been proposed and is supported by the Kansas Dental Board.

When the bill was introduced, a question was asked about extending the period of time during which the estate of a dentist may hire a dentist to keep the practice viable until it can be sold. I have talked with the board members by telephone and they have no problem with extending that to eighteen months.

This bill changes the annual license renewal process from annual to biennial. The Dental Board is a biennial budget agency and I have spoken to our budget analyst concerning this process. We have planned to renew the dentists the first year which will give us enough funding to reserve monies for the second year.

The disciplinary portion of the statute, K.S.A. 65-1436 would be amended, on advice of an assistant attorney general and private counsel, to allow action to be taken against a licensee who has been convicted of a felony or misdemeanor involving moral turpitude in any jurisdiction; failed to keep adequate records; has had a license revoked suspended or limited in another jurisdiction; and it defines professionally incompetent, as it is defined by the Board of Healing Arts and the Board of Pharmacy.

K.S.A. 74-1404 is amended to allow the Dental Hygiene Association to submit the names of three persons whom they have selected directly to the Governor to fill the dental hygiene position on the Dental Board.

K.S.A. 65-1463 was adopted in 1982 in order that one person who did not qualify for Kansas licensure be licensed to practice at the Larned state hospital. This would be repealed.

The Kansas Dental Board would appreciate your support of these changes to the dental statutes.

Testimony of Carol Macdonald
Administrative Secretary
Kansas Dental Board

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2-13-96
Attm #2



**Statement by Taylor L. Markle, D.D.S.
In Support of H.B. 2813
House Committee on Health and Human Services
February 13, 1996**

Mr. Chairman and members of the Committee, I am Taylor Markle. I am a practicing oral and maxillofacial surgeon in Shawnee, Kansas. I serve as Chairman of the Kansas Dental Association's Council on Dental Legislation.

I appreciate having the opportunity to appear today to offer the Kansas Dental Association's support of H.B. 2813 as written. We believe the changes contained in this measure are positive.

Specifically, the legislation offers survivors of a deceased dentist or a disabled dentist a window of opportunity to transfer the practice to another dentist. The biennial licensure will provide the Dental Board with administrative cost savings. Changes in the disciplinary section will provide the Board with additional tools in protecting the public.

Again, Mr. Chairman and members of the Committee, the Kansas Dental Association supports H.B. 2813 as written.

Thank you for your consideration.

State of Kansas

Bill Graves



Governor

Department of Health and Environment

James J. O'Connell, Secretary

Testimony presented to

House Committee on Health and Human Services

by

The Kansas Department of Health and Environment

House Bill No. 2867

House Bill No. 2867 adds physician assistants to the list of statutorily enumerated health care providers who may register to be Charitable Health Care Providers. Charitable Health Care Providers who donate their professional services either gratuitously or for pay from a health department or indigent health care clinic are considered employees of the state for liability purposes; in the event of a suit, defense is provided by the Attorney General and the tort claims fund is the payor of first resort. There have been no claims against the tort claims fund related to a Charitable Health Care Provider since the inception of the program in 1990.

There are currently 719 physicians, 64 dentists and 259 nurses and 49 other providers registered as Charitable Health Care Providers. Since 1993, 1262 nurses have been registered to receive coverage while volunteering to provide services through Operation Immunize. There are 70 points of entry across the state in local health departments and clinics that refer eligible patients to private providers or clinics for services. In 1994, 27,981 clients were seen by Charitable Health Care Providers, with 98% of those seen in clinic settings.

House Bill No. 2867 would make it clear that physician assistants are eligible to provide services as Charitable Health Care Providers, thereby increasing the pool of primary care providers available to serve the medically indigent under the program. There are presently 291 physician assistants practicing in the state.

We expect the number of new providers generated by this bill to be relatively small and project no significant new administrative cost to the program as a result of passage of the bill.

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2-13-96
Att #4*

House Bill 2867
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Recommendation: The Department of Health and Environment recommends that the committee report House Bill NO. 2867 favorably for passage.

Testimony presented by: Richard J. Morrissey
 Director
 Bureau of Local and Rural Health Systems
 February 13, 1996

KANSAS ACADEMY OF PHYSICIAN ASSISTANTS

TRACEY TURGEON - LEGISLATIVE CHAIRPERSON,
6601 SW HAMPTONSHIRE LANE
TOPEKA, KS 66614-4462

Telephone (913) 478-0829

February 5, 1996

To: Public Health and Human Service Committee

Subject: HB 2867

Mr. Chairman and members of the Public Health and Human Service Committee:

I am Tracey Turgeon, representing the Kansas Academy of Physician Assistants, and we are here to add our support to passage of HB 2867.

This is charitable work that would be furnished under the guidelines set for PAs, which is to practice under a responsible physician and a protocol.

If you have any questions, I would be happy to answer them.

H & H.S. Comm.
2-12-96
Attn #5