

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 11, 1997, in Room 423-S-of the State Capitol.

All members were present except: Representative Becky Hutchins
Representative Tony Powell
Representative Clark Shultz

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

Conferees appearing before the committee:
Dr. Estel Landreth, President, Kansas Dental Board
David Hanzlick, Assistant Director, Kansas Dental Association
Barbara Burkendine, President-Elect, Kansas Dental Hygienists Association
Randall Forbes, Attorney, Kansas Dental Board

Others attending: See Guest List (Exhibit 1).

Chairperson Mayans opened the hearing on **HB 2199 - Dental practices act amendments.**

Dr. Estel Landreth, Kansas Dental Board, testified in favor of the bill, stating that it will create better compliance with the law and has acceptance in the dental community. (See Exhibit 2.)

David Hanzlick, Kansas Dental Association, expressed the association's support of **HB 2199**, which places into law existing rules and regulations regarding delegation of certain duties to unlicensed persons, the administration and monitoring of nitrous oxide by unlicensed persons, and administration of local anesthesia by dental hygienists. (See testimony, Exhibit 3.) He stated that approximately 80% of Kansas dentists are members of the association.

Barbara Burkendine, Kansas Hygienists Association, transmitted the association's statement of support of the bill. Attention was directed to the written testimony in support of **HB 2199** of Patty L. Seery, R.D.H., of Wichita (see Exhibit 4).

There being no others to testify on the bill, the hearing was closed on **HB 2199**.

Chairman Mayans then opened the hearing on **HB 2200 - Discipline of dentists and dental hygienists.**

Dr. Estel Landreth testified that the bill will allow imposition of fines when licensees are in violation of state or federal law, and provide an alternative in disciplinary actions (see Exhibit 5).

Randall Forbes, Kansas Dental Board Attorney, responding to questions about the fines, stated they were simply placing into law the rules and regulations adopted by the Board the past few years. The verbage follows similar laws of other regulatory agencies. Representative Haley asked if there was a particular narcotic being misused, causing the legislation. Mr. Forbes answered there are always concerns when the authority to write prescriptions exists; including concerns of the Drug Enforcement Agency who monitors written prescriptions for excessive amounts of drugs. Emalene Correll questioned the inclusion of "habit-forming drug" along with "controlled substances." Mr. Forbes answered there was no objection to deleting "habit-forming drug."

Chairperson Mayans asked if there were any others present to testify in favor of or against **HB 2200**. There were none. The hearing was closed.

Chairperson Mayans then called for action on **HB 2199**. On motion of Representative Geringer, seconded by Representative Morrison, the committee unanimously voted that **HB 2199** be passed and placed on the Consent Calendar.

Chairperson Mayans called for action on **HB 2200**. Representative Morrison moved, seconded by Representative Wells, that **HB 2200** be passed. Representative Haley then moved, in a substitute motion,

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES, Room 423-S of the State Capitol, at 1:30 p.m. on February 11, 1997.

seconded by Representative Henry, that the bill be amended on page 2, line 28, and on page 2, line 34, by deleting the words "any habit-forming drug" and inserting in lieu thereof "a". The motion carried. Representative Storm, seconded by Representative Hutchins, moved that the bill be further amended on p. 2, line 32, deleting the word "gave" and inserting in lieu thereof the word "given." The motion carried. On motion of Representative Geringer, seconded by Representative Hutchins, the committee voted to pass **HB 2200**, as amended.

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

The next meeting is scheduled for February 12, 1997.

HOUSE COMMITTEE ON HEALTH
AND HUMAN SERVICES GUEST LIST
FEBRUARY 11, 1997

NAME	REPRESENTING
RANDALL J. FORBES	KS. DENTAL BRD.
ESTEL LANDRETH DDS	KS. DENTAL BOARD
GARY J NEWMAN	KS Dental Ass.
Janna J. Luthphann	Washburn University
Rebecca Atwood	Washburn University
David Hanzlick	FDA
Gayle Taylor	Washburn University
Tyler Reulman	Junction City Middle
Melinda R. Day	Junction City Middle
Sarah Heldstab	Junction City Middle
Zack Mastern	Junction City Middle school
Michelle Peterson	Peterson Public Affairs
John Ashm	Junction City Middle School
David Hanson	KS Dental Assistants Assoc
BOB. A. CLIFTON	Washburn University
BRIAN DUNLOP	Washburn University
Kim Stabbe	KDHA
Barbara Burkindine	KDHA
Mary Jo Nigg	KS Dental Hygienists Assoc

HOUSE COMMITTEE ON HEALTH
AND HUMAN SERVICES GUEST LIST
FEBRUARY 11, 1997

NAME	REPRESENTING
<i>John C. Peterson</i>	<i>Ks Government Consulting</i>
<i>Carol Macdonald</i>	<i>Ks Dental Board</i>



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 11, 1997

STATEMENT IN SUPPORT OF HB 2199

presented by : Estel Landreth, DDS
Kansas Dental Board

Chairman Mayans and Committee Members

This bill makes no substantive changes in the status quo.

Rolling certain regulations into statutes will add clarity within the profession. This will make it easier to inform licensees and will create better compliance.

HOUSE HEALTH/HUMAN SERVICES

Attachment 2
2 - 11 - 97



**Statement in Support of H.B. 2199
David Hanzlick, Assistant Director
Before the House Committee
on Health and Human Services
February 11, 1997**

Mr. Chairman and members of the Committee, I am David Hanzlick. I am the Assistant Director of the Kansas Dental Association. I appreciate this opportunity to express the support of the Kansas Dental Association for H.B. 2199.

This bill places into statute existing rules and regulations regarding the delegation of certain duties to unlicensed persons, the administration and monitoring of nitrous oxide by unlicensed persons, and the administration of local anesthesia by dental hygienists.

These regulations have been in place for several years. Dentists and their staffs have been practicing successfully in the manner permitted by these rules and regulations for some time. The approach contained in this bill provides a framework that has enabled the dental profession in Kansas to work through a variety of professional opinions and points of view regarding the utilization of dental office staff.

To bring a measure of permanence to the approach embodied in the regulations, the KDA supports legislation to make the existing rules and regulations a part of statutory law.

Again, Mr. Chairman and members of the Committee, thank you for your consideration of these comments.



THE KANSAS DENTAL HYGIENISTS' ASSOCIATION

CONSTITUENT OF THE AMERICAN DENTAL HYGIENISTS' ASSOCIATION

P.O. BOX 1781056 • WICHITA, KS 67278-1056

Denise Maus
President
1908 Socora
Wichita, KS 67212
316-721-4780

February 11, 1997

House Health & Human Services Committee
Representative Carlos Mayans, Chairman

Barbara Burkindine
President-Elect
3700 W. 83rd St., #103
Prairie Village, KS 66208
913-649-5600 (W)
913-592-2959 (H)

Re: Support Testimony for HB 2199

Chairman Mayans and Members of the Committee:

Jane A. Criser
Corresponding Secretary

Good Afternoon. My name is Barbara Burkindine, and I am President-elect of the Kansas Dental Hygienists' Association (KDHA). I am a registered dental hygienist, and have been licensed in Kansas for more than twenty years. I am currently working full time in a private dental practice in Prairie Village, Kansas, and part-time as a clinical instructor for Johnson County Community College Dental Hygiene Program.

Debhra K. Cunday
Recording Secretary

Lisa K. Ross
Treasurer

I am here today on behalf of the Kansas Dental Hygienists' Association to speak in favor of HB 2199. I will read a letter of support from KDHA President Denise Maus, who is unable to attend today's hearing.

Susan D. Hendley
Immed. Past President

Robin Garrett
Trustee

Connie Hiatt
Trustee

Mary Jo Nigg
Trustee

HOUSE HEALTH/HUMAN SERVICES

Attachment 4-1
2 - 11 - 97



THE KANSAS DENTAL HYGIENISTS' ASSOCIATION

CONSTITUENT OF THE AMERICAN DENTAL HYGIENISTS' ASSOCIATION

P.O. BOX 781056 • WICHITA, KS 67278-1056

Denise Maus

President

1908 Socora

Wichita, KS 67212

316-721-4780

Barbara Burkindine

President-Elect

3700 W. 83rd St., #103

Prairie Village, KS 66208

913-649-5600 (W)

913-592-2959 (H)

Jane A. Criser

Corresponding Secretary

Debhra K. Cunday

Recording Secretary

Lisa K. Ross

Treasurer

Susan D. Hendley

Immed. Past President

Robin Garrett

Trustee

Connie Hiatt

Trustee

Mary Jo Nigg

Trustee

February 10, 1997

House Health & Human Services Committee
Representative Carlos Mayans, Chairman
Statehouse
Topeka, Kansas

Re: HB 2199

Dear Chairman Mayans and Committee Members:

The Kansas Dental Hygienists' Association strongly supports HB 2199, which would place into statute specific functions of a registered dental hygienist that are currently permitted through Rules and Regulations of the Kansas Dental Board. These functions include the administration of local anesthesia and nitrous oxide analgesia, which have been within the scope of practice of the dental hygienist in Kansas since May, 1993.

For the past three and one-half years, the administration of local anesthesia and nitrous oxide analgesia by the dental hygienist has proven to be a safe and effective adjunct to rendering optimal dental hygiene care to patients/consumers. We believe patients/consumers will be better served if these functions become mandated by statute, where elected officials, our legislators, determine the rules rather than a five member appointed panel of officials, the Kansas Dental Board. With this in mind, we ask for your favorable consideration and support of HB 2199.

Sincerely,

Denise A. Maus, R.D.S., B.S.
KDHA President



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 11, 1997

STATEMENT IN SUPPORT OF HB 2200

presented by : Estel Landreth, DDS
Kansas Dental Board

Chairman Mayans and Committee Members

This bill does makes substantive changes in the effect of law. It contains more specific language on the use of prescription drugs and/or habit forming controlled substances.

HB 2200 will statutorily allow the Dental Board to impose fines to recoup expenses when licensees are found to be in violation of state or federal law. This also gives the dental board an alternative in disciplinary actions other than suspension or revocation of a license.

This bill will conserve state funds allowing persons who are found in violation of law to share the costs they create for the state, and the statues will be more specific.....consequently reducing prosecution costs.

The Kansas Dental Board would urge your favorable consideration of these measures.

HOUSE HEALTH/HUMAN SERVICES

Attachment 5
2 - 11 - 97