

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 12, 1997 in Room 423-S-of the State Capitol.

All members were present except: Representative Phyllis Gilmore
Representative Tony Powell
Representative Judy Showalter
Representative Gwen Welshimer

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

Conferees appearing before the committee:
Greg Reser, Director, KDHE Hospital and Medical Program
Marcia Boswell-Carney, KDHE Health Occupations Credentialing, Bureau of Adult and Child Care
Diane Hall, President, Kansas Speech-Language-Hearing Association

Others attending: See Guest List (Exhibit 1).

Chairperson Mayans opened the hearing on **HB 2182 - Repeal of certificate of need program for health facilities**, and introduced Greg Reser, KDHE Hospital and Medical Programs. Mr. Reser explained the bill, if enacted, will repeal the Certificate of Need legislation (which actually expired July 1, 1985) and delete the provisions from the statute books (see Exhibit 2).

There being no others to testify on the bill, the hearing on **HB 2182** was closed.

Chairperson Mayans opened the hearing on **HB 2183 - Speech language pathologists and audiologists continuing education sponsors**.

Marcia Boswell-Carney, KDHE Health Occupations Credentialing, Bureau of Adult and Child Care, testified in favor of **HB 2183** (see Exhibit 3).

Representative Geringer asked if KDHE reviews each course for content or is it simply accepted; and what period of time does the approval cover? Ms. Boswell-Carney stated this bill proposes a 2-year period. Ms. Correll asked if products are permitted to be sold at these courses. Ms. Boswell-Carney answered she was not aware of products being sold.

Chairperson Mayans asked about the proposed fee for registering these courses. Ms. Boswell-Carney said \$150 was being proposed for a 2-year sponsorship. Chairperson Mayans stated that in reviewing **HB 2183, 2184, and 2185** (all being heard today) the fee for courses for home administrators is capped, but not for the other courses. He stated his belief that everyone should be treated the same.

Diane Hall testified in favor of **HB 2183** (see Exhibit 4).

Representative Freeborn asked if the Kansas association has a protocol to decide if a course is acceptable education. Ms. Hall stated the Kansas courses are approved by the American Association (which is fairly close to what KDHE uses in its approval process) and that courses are identified at three levels: beginning, intermediate, and advanced, depending on the credentials of the course presenter and content. Chairperson Mayans asked Ms. Hall about increasing the fee to \$200. She replied the association felt \$150 was reasonable, but would not object to capping the fee at \$200.

Marcia Boswell-Carney earlier testified in support of the bill (see Exhibit 3).

Chairperson Mayans then asked if there were any others present to testify on **House bills 2183, 2184, and 2185**. There were none, so the hearing was closed.

Chairperson Mayans then called for action on **HB 2182, HB 2183, and HB 2184**.

On motion of Representative Geringer, seconded by Representative Morrison, the committee voted to pass

CONTINUATION PAGE

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES, Room 423-S of the State Capitol, at 1:30 p.m. on February 12, 1997.

HB 2182 favorably and that it be placed on the consent calendar.

Representative Morrison moved, Representative Geringer seconded, that HB 2183 be passed. Chairperson Mayans moved, in a substitute motion, seconded by Representative Freeborn, that the bill be amended on page 2, in line 39, after the period, by inserting "No fee shall be more than \$200." The motion carried. On motion of Chairperson Mayans, seconded by Representative Geringer, the committee voted to pass HB 2183 as amended.

Chairperson Mayans moved that HB 2184 be amended on page 1, in line 43, after the period, by inserting "No fee shall be more than \$200." Representative Morrison seconded the motion. Representative Haley raised the question whether the bill should be further amended to delete the provision that the bill be effective upon publication in the Register. Chairperson Mayans replied he believed it is important that when a fee change is made in any legislation that everyone be aware of it as early as possible. A vote was taken on the motion, and the committee voted to adopt the amendment. On motion of Chairperson Mayans, seconded by Representative Vining, the committee voted to pass HB 2184, as amended.

On motion of Representative Geringer, seconded by Representative Hutchins, the committee voted that HB 2185 be passed and placed on the consent calendar.

Chairperson Mayans noted that **HB 2268 (Creation of a department of health and a department of environment)** had been referred separately to the House Appropriations Committee and this committee.

The meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for February 13, 1997.

**HOUSE COMMITTEE ON HEALTH
AND HUMAN SERVICES GUEST LIST
FEBRUARY 12, 1997**

NAME	REPRESENTING
GREG RESER	K D H E
MARCIA Boswell-Carney	K D H E
myrle Myers	Johnson + Johnson
Diane Hall	K S H A (Ks. Speech/Hearing)
Elizabeth Karlson	Ks SPEECH & HEARING ASSOC
Vicki Allen	Ks Hearing Cure Assn.
JOHN FEDERICO	Pete McBill + Assoc
Susan Baker	Flein + Wein
Amy Campbell	R. Rice Law Office
KEITH R LANDIS	CHRISTIAN SERVICES COMMITTEE ON PUBLICATION FOR KANSAS
John Peterson	Ks Governmental Consulting
Michelle Peterson	Peterson Public Affairs
Rich Guthrie	Health Midwest
Larue Ann Brown	Kans. Hosp Assoc.
Mary Elley Conlee	Via Christi Health Systems
Tom Bell	Ks. Hosp. Assn.

HOUSE COMMITTEE ON HEALTH
AND HUMAN SERVICES GUEST LIST
FEBRUARY 12, 1997

NAME	REPRESENTING
H.B. THOMPSON	KDA
Steve Young	K.D.A.

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 2182

Thank you for the opportunity to present testimony related to HB 2182. This bill proposes repeal of the provisions of K.S.A. 65-4801 through K.S.A. 65-4822.

K.S.A. 65-4801 et seq. is the enabling legislation which implemented the state Certificate of Need (CON) program between 1976 and 1985. This program required medical care facilities and nursing homes to apply for and receive state approval prior to the commencement of new construction, provision of new services, or other significant capital expenditures. The applicant was required to demonstrate the community need for such projects.

K.S.A. 65-4822 includes a "sunset provision" with an effective date of July 1, 1985.

The provisions of K.S.A. 65-4801 to 65-4821 expired effective that date.

Although K.S.A. 65-4801 et seq. is no longer effective due to the "sunset provision," the referenced statutes remain in the statute books. Occasionally, KDHE staff still receive inquiries from out of state health care providers and others seeking clarification related to these CON statutes. Passage of HB 2182 would officially repeal referenced statutes which have not been enforceable since 1985.

Presented by: Greg L. Reser, Director
Hospital and Medical Programs
Bureau of Adult and Child Care
Kansas Department of Health and Environment

Date: February 12, 1997

HOUSE HEALTH/HUMAN SERVICES

Attachment 2
2 - 12 - 97

State of Kansas

Bill Graves



Governor

Department of Health and Environment

James J. O'Connell, Secretary

Testimony Presented to

House Health and Human Services Committee

by

The Kansas Department of Health and Environment

House Bill 2183, 2184 & 2185

The purpose of these bills is to allow for long-term sponsorship approval for continuing education for Kansas speech-language pathologists and audiologists (HB 2183), licensed dietitians (HB 2184) and licensed adult care home administrators (HB 2185). This proposal supports the department mission of optimizing the promotion and protection of Kansans through increased efficiency and effectiveness in regulation.

Continuing education is a component of existing licensure law, to provide ongoing competency through continued education during each licensure period. By adding a statutory definition of sponsor, and providing for sponsorship within regulation, continuing education can be streamlined and enhanced. KSA 65-6501 (j) and KSA 65-6512; ~~KSA 65-5902 (g)~~ and KSA 65-5913; and, K.S.A. 65-3501 (e) and 65-3503 (c) are amended to accomplish this.

Assuring continued competence of health practitioners is under scrutiny in many arenas. In December of 1995, the Pew Health Professions Commission issued a report entitled, "Reforming Health Care Workforce Regulation: Policy Considerations for the 21st Century." Ten issues were identified by this highly-publicized report; item seven is titled, "Assuring Practitioner Competence: Assessing the continuing competence of health care practitioners." In this section of the report, problems with the current methods of public protection of practitioners throughout their careers are identified as well as several recommendations for policy change.

Though there are many possible methods of protecting the public throughout a licensee's career, continuing education has had appeal due to its relative ease in management for the licensees and regulators.

Continuing education requirements are generally addressed in statutory language of licensed health occupations, with greater definition and detail for the administration being addressed in rules and regulations. In attempting to provide greater direction and enhancing the outcome of these educational experiences, rules and regulations have been developed to define the methods of accruing education, defining how "hours" are calculated, specifying the content areas and objectives (speech-language pathologist/audiologist statutes define unacceptable areas of content for continuing education) and how approval from the department is obtained.

If the concept of approving long-term sponsors for continuing education programming is utilized, there will be a major reduction in paperwork of a technical nature with little regulatory impact. Long-term sponsors will not have to "wait" for the department's approval on each program they sponsor. This is a process already in place for many regulated professions.

This process is generally supported by affected boards, advisory groups and task forces as well as target constituents (professional associations, technical or vocational schools, universities, professional consultant groups).

The Department respectfully requests the Committee act favorably on House Bills 2183, 2184 and 2185.

Testimony presented by: Marcia Boswell-Carney
 Health Occupations Credentialing
 Bureau of Adult and Child Care
Date: February 12, 1997



KSHA

A STATE ASSOCIATION OF SPEECH-LANGUAGE PATHOLOGISTS AND AUDIOLOGISTS

KANSAS SPEECH-LANGUAGE-HEARING ASSOCIATION
3900 SEVENTEENTH, GREAT BEND, KS 67530
316/793-6550 800/248-KSHA FAX: 316/793-6550

ADVOCATES FOR PEOPLE WITH COMMUNICATION DISABILITIES

February 12, 1997

The Kansas Speech-Language-Hearing Association (KSHA) supports HB #2183 with regard to the addition of section 30-33 (j) and Sec. 2 line 36 adding "sponsor" to the existing statute #K.S.A. 65-6501 and 65-6512. The Kansas Department of Health and Environment proposed this amendment and is presenting it before the Legislature. The concept of "sponsor" would allow KSHA to apply to be able to approve continuing education for programs in Kansas for speech pathology and audiology. At the same time this bill would potentially reduce the amount of work for KDHE and produce some revenue for the State of Kansas. KSHA currently is approved by the American Speech-Language-Hearing Association (ASHA) as a continuing education sponsor in a capacity similar to that provided in this amendment.



Diane B. Hall, MA, CCC-SP
President, KSHA



Elizabeth Karlsen, PhD., CCC-A
Vice President of Audiology

HOUSE HEALTH/HUMAN SERVICES

Attachment 4
2 - 12 - 97