

Approved: 2-3-97
Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE.

The meeting was called to order by Chair Sandy Praeger at 10:00 a.m. on January 30, 1997 in Room 526-S of the Capitol.

All members were present except:

Committee staff present: Emalene Correll, Legislative Research Department
Bill Wolff, Legislative Research Department
Norman Furse, Revisor of Statutes
Jo Ann Bunten, Committee Secretary

Conferees appearing before the committee:

Kansas Attorney General Carla Stovall
Michael Byington, Wichita Industries and Services for the Blind, Inc.
Randy Tongier, Kansas Legislative Post Audit
Elizabeth Saadi, Kansas Department of Health and Environment

Others attending: See attached list

Introduction of bills

Carla Stovall, Kansas Attorney General, requested introduction of three bills relating to: (1) access of mental health records to exempt SCDRB, (2) oversight of local boards and sharing of information with SCDRB, and (3) non-profit health facilities notification act. (Attachment 1) Senator Becker made a motion that the Committee recommend introduction of the proposed legislation, seconded by Senator Steineger. The motion carried.

Michael Byington, Wichita Industries and Services for the Blind, Inc., requested introduction of a bill that would amend the Developmental Disabilities Reform Act and define deaf/blindness and appropriate service categories for the deaf/blind. (Attachment 2) Senator Becker made a motion that the Committee recommend introduction of the proposed legislation, seconded by Senator Steineger. The motion carried.

Hearing on SB 10 - Health Care Database, performance audit for 1998 legislative session

Randy Tongier, Audit Manager, Kansas Legislative Post Audit, appeared before the Committee in support of SB 10 which would extend the statutory requirement for an audit of the Health Care Data Program for one year as noted in his written testimony. (Attachment 3)

Elizabeth Saadi, Director of Health Care Information, KDHE, also expressed support for SB 10 and noted that this change is appropriate since the first year of the Governing Board's work was spent developing rules and regulations for submitting data to and releasing data from the database. (Attachment 4)

During Committee discussion it was suggested an interim study should be made regarding a statewide data base.

There were no opponents to SB 10.

Senator Jones made a motion that the Committee recommend SB 10 favorably for passage, seconded by Senator Langworthy. The motion carried.

Adjournment

The meeting was adjourned at 10:30 a.m.

The next meeting is scheduled for February 3, 1997.

SENATE PUBLIC HEALTH AND WELFARE COMMITTEE GUEST LIST

DATE: 1-30-97

NAME	REPRESENTING
Betty Johnson	Land & Housing Acts
Michael Byington	Welding, Industry and Services for the Blind
Sam Saad	KDHE
May Horoch	AG's Office
Betty Slove	AG's office
JASON RISEBERGER	BRAD SMEDY
Amy Cummell	R. Rice Law Office
George Goshel	Myself
Susan Baker	Hein & Weir
Bob Williams	Ks. Pharmacists Assoc
BOB ALDERSON	KPHA
Dudley Klaven's	SRS - Medical Services
KEVIN CASE	AG OFFICE
Rich Guthrie	Health Midwifery
Fred Palumbo	BCBSKS
TUCK DUNCAN	Ks. Occupational Therapy Assn.
Sai Cellachan	KAMMCO
JERRY SAUWATER	KMS
Steve Olson	KDHE

SENATE PUBLIC HEALTH AND WELFARE COMMITTEE
GUEST LIST

DATE: 1-30-97

NAME	REPRESENTING
Lana L. Phillips	KDHE
Karrin Ann Brown	Kans Hosp. Assoc
Mary Hanson	KMS
Stacy Moorhead	Heartland Health, Inc.
Matt Treadwell	AP
Callie Jill Denton	John Bottenberg's Assoc.



State of Kansas

Office of the Attorney General

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CARLA J. STOVALL
ATTORNEY GENERAL

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January 30, 1997

TO: Senate Public Health and Welfare
FROM: Attorney General Carla Stovall
RE: 1997 Legislative Recommendations

- 1. Access to Mental Health Records** - Amend K.S.A. 65-5603 so that the SCDRB is listed as an exception with respect to access to mental health records.
- 2. Oversight of Local Boards** - Amend K.S.A. 22a-243 to provide for oversight of local boards by the SCDRB, and amend the confidentiality provisions to allow for sharing of information between the SCDRB and local boards.
- 3. Non-profit Health Facilities Notification Act** - Provide a plan by which non-profit organizations can notify the state of its intended disposition of assets.

Senate Public Health & Welfare
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Attachment No. 1

WICHITA INDUSTRIES & SERVICES FOR THE BLIND, INC.

PLEASE REPLY TO: Michael Byington
WISB Governmental Affairs Office
P. O. Box 1063
Topeka, Kansas 66601
(913) 575-7477 (office and voice mail)
(913) 233-2539 (FAX)

January 30, 1997

TO: Senate Committee on Public Health and Welfare

SUBJECT: Bill Introduction

We are requesting some revisions in the Developmental Disabilities Reform Act, K.S.A. 39-1802. Please find some proposed wording attached.

My employer Wichita Industries and Services for the Blind (WISB) provides the State-wide consultation services for the State of Kansas concerning deafblindness. This is funded in part through a grant from the Rehabilitation Services portion of SRS. WISB is an affiliate program of the Helen Keller National Center for Deafblind Youths and adults. This bill is requested because seven families of deafblind children and young adults brought their concerns to us and asked that we attempt to help them insure appropriate services for their deafblind loved ones. I am sure some of these families will be submitting testimony provided this bill is introduced and comes to hearing.

The Developmental Disabilities Reform Act constituted a giant step forward in the provision of community based services for persons having developmental disabilities. It has officially ended waiting lists, and in most areas of the State the Community Developmental Disability Organizations (CDDOs) called for in the existing act are up and running and are beginning to positively impact the availability of community services. Our proposed amendments would not change any of this. I am aware, as are the families with whom our agency is working, of the tremendous amount of hard work done by advocates and legislators a couple of years ago in fashioning the current act.

The families who approached us, however, all have members who are DEAFBLIND. Their deafblind family members all quite clearly meet both the federal and current State definition of developmentally disabled. While none of

A not-for-profit
agency providing
employment &
services to people
who are blind.

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Date: 1-30-97
Attachment No. 2

these families have been out and out denied services by the CDDOs serving their areas, they have all experienced considerable problems documenting needs in a manner allowing for appropriate services to be provided. This is not because of any malice or ill will, but because, mental retardation and other developmental disabilities are well understood by the CDDO staff, where most such staff are much less familiar with the unique and low incidence field of deafblindness. Additionally the assessment tools used by the CDDOs, such as the BASIS, are targeted to accurately assess a broad range of developmentally disabled/mentally retarded individuals, but are not necessarily geared to accurately assess the needs of the deafblind population. It thus becomes necessary to have a little more definition of deafblindness and appropriate services categories for deafblind contained in the act itself. This proposed legislation adds these.

There should not be a fiscal note to this bill. The individuals in question are already qualified as developmentally disabled under the act as it stands. The CDDOs will still have a finite amount of money to use in providing all services, and none of this will change. This proposed bill simply opens the door to create some new classes of service to more efficiently and appropriately address the needs of deafblind people as opposed to the service categories being used now.

Thank you for your consideration of this introduction. Please contact me if you have questions.

Sincerely yours:

Michael Byington
Director of Governmental Affairs

MB/mjb

**Testimony Before the
SENATE PUBLIC HEALTH AND WELFARE COMMITTEE
on Senate Bill 10**

**January 30, 1997
Legislative Division of Post Audit
Randy Tongier, Audit Manager**

Current State law requires a performance audit of the Health Care Data Program to be done by either Legislative Post Audit or a firm under contract with Legislative Post Audit. The audit is to identify the total costs of the Program (both to the State and to providers of the data) and the benefits of the Program. The law further requires that the resulting audit report be submitted to the Legislature at the start of the 1997 Legislative Session.

To meet that timeliness requirement, the audit work would have to have been started during the Summer of 1996. In preparation for that task, Legislative Post Audit staff met with administrators of the Health Care Data Program last Spring to determine the status of the Program. We found that, although some data had been collected and disseminated by that time, the Program wasn't fully developed yet, and hadn't been operating long enough to allow a meaningful assessment of costs and benefits.

In response to that finding, Post Audit staff suggested to the Post Audit Committee that delaying the audit for a year would provide more meaningful and useful audit results. The Post Audit Committee concurred, and, to avoid noncompliance with State law, introduced Senate Bill 10. This bill amends current State law to delay the due date for the audit until the start of the 1998 Legislative Session.

State of Kansas

Bill Graves



Governor

Department of Health and Environment

James J. O'Connell, Secretary

Testimony presented to

Senate Public Health and Welfare Committee

by

The Kansas Department of Health and Environment

Senate Bill 10

The Kansas Department of Health and Environment wishes to support Senate Bill 10 with its proposed change of the year of audit from 1997 to 1998. This change is appropriate since the first year of the Governing Board's work was spent developing rules and regulations for submitting data to and releasing data from the database. Fiscal year 1998 is the more appropriate year to conduct the audit since the Governing Board's data collection activities did not begin until FY95.

The agency does question how language in the state will be addressed as it relates to KDHE being responsible for paying for contractual services for the audit. The Governor has placed funds for this audit in the Division of Legislative Post-Audit's budget and not in KDHE's budget.

Testimony presented by:

Elizabeth W. Saadi, Ph.D.
Director
Office of Health Care Information
Center for Health and Environmental Statistics
January 30, 1997

Senate Public Health & Welfare
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Attachment No. 4

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