

Approved: 3-18-97  
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 March 11, 1997 in Room 526-S of the Capitol.

All members were present except:

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

Conferees appearing before the committee:

Greg Reser, Director, Hospital and Medical Programs, KDHE  
Lesla Bray, Director, Health Occupations Credentialing Program, KDHE

Others attending: See attached list

**Approval of Minutes**

Senator Jones made a motion to approve the Committee minutes of March 5 and 6, 1997, seconded by Senator Becker. The motion carried.

**Hearing on HB 2180 - Repeal of statutes concerning facilities for post-acute trauma head-injured persons**

Greg Reser, Director, Hospital and Medical Programs, KDHE, testified in support of SB 2180 which would repeal statutes that authorize the Secretary of Health and Environment to develop rules and regulations for the certification of facilities providing services, care and residential accommodations for post-acute trauma head-injured persons. No facilities ever applied for the certification. The statutes sunsetted on July 1, 1987, but the law was never removed from the statute book as noted in his written testimony. (Attachment 1)

There were no opponents to HB 2180.

**Action on HB 2180**

Because of the non-controversial nature of the bill, Senator Hardenburger made a motion the Committee recommend HB 2180 be placed on the consent calendar, seconded by Senator Becker. The motion carried.

**Hearing on HB 2184 - Licensed dietitians continuing education sponsors**

Lesla Bray, Director, Health Occupations Credentialing Program, KDHE, testified in support of HB 2184 which would allow long-term sponsorship for continuing education for department-licensed dietitians. The bill defines "sponsor" as any entity approved by the Department of Health and Environment to provide continuing education programs or courses on an on-going basis under the act. Current law does not include this definition. The bill would also add "sponsorship fee" to the list of fees fixed by the Department. (See Attachment 2) During Committee discussion it was noted that the House Committee amendment would cap any fee that may be established by the Secretary of Health and Environment pursuant to the Dietitians Licensing Act at \$200.00.

There were no opponents to HB 2184.

**Action on HB 2184**

Senator Hardenburger made a motion the Committee recommend HB 2184 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 March 12, 1997.

SENATE PUBLIC HEALTH AND WELFARE COMMITTEE  
GUEST LIST

DATE: 3-11-97

NAME	REPRESENTING
GREG RESSE	KDHE
Leslie Bray	KDHE HOC
Callie Hill Denton	K. Peterson's Assoc.
Susan M. Baker	Hein + Wein
Amy Gimmell	R. Rice Law Office
KEVIN R LANDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
JASON PITENBERGER	BRAD SMOOT



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Department of Health and Environment

James J. O'Connell, Secretary

TESTIMONY PRESENTED TO  
SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE  
BY  
THE KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

House Bill 2180

Thank you for the opportunity to present testimony related to HB 2180. This bill proposes repeal of the provisions of K.S.A. 65-461 through K.S.A. 65-467.

K.S.A. 65-461 et seq. is the enabling legislation which provided the Kansas Department of Health and Environment with authority to develop regulations, inspect facilities, and grant certification to facilities designed specifically for the care of post-acute trauma head-injured persons. The law was to allow for a "demonstration program to determine the feasibility and effectiveness of this type of facility." Although regulations were developed, no facility applied for certification.

K.S.A. 65-467 includes a "sunset provision" with an effective date of July 1, 1987.

The provisions of K.S.A. 65-461 et seq. expired effective that date.

Since the referenced statutes have not been in effect since 1987, the passage of HB 2180 would officially remove the referenced laws from the statute books.

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

Date: March 11, 1997

State of Kansas

Bill Graves



Governor

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**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

House Bill 2184

The purpose of this bill is to allow for long-term sponsorship approval for continuing education for Kansas licensed dietitians. 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 65-5902 (g) and KSA 65-5913 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 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 reduction in paperwork of a minimal technical nature, with little regulatory impact, that is quantitatively high. 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 Bill 2184.

Testimony presented by:           Lesla Bray, Director  
  Health Occupations Credentialing  
  Bureau of Adult and Child Care

Date:                                   March 11, 1997