

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 17, 1998 in Room 423-S-of the State Capitol.

All members were present.

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

Conferees appearing before the committee:
State Representative John Faber
Tom Bell, Kansas Hospital Association

Others attending: See Guest List (Attachment 1)

Chairperson Mayans opened the hearing on **HB 2832** (county hospitals; board, method of selecting), and welcomed Representative John Faber who testified in support of the bill. Representative Faber noted he wanted to offer an amendment on page 2, lines 24 and 25, to delete "a majority of the members of the board are not selected at the same time;" the object being to allow for staggered terms of board members. (See testimony, Attachment 2.) Emalene Correll asked if the county commissions could not accomplish this by resolution; but Representative Faber answered they could not according to current law. Representative Hutchins asked the difference between community and county hospitals. Tom Bell, Kansas Hospital Association, answered they are either private or non-private hospitals. The governmental hospitals are about half of them in the state; the private hospitals are about 95% of the remaining number. Out of 140 hospitals, 135 are considered to be community. There is no definition of community hospital in the law.

Mr. Bell also noted that **HB 2832** gives county commissions authority to change the way the board is selected. They could pass a resolution to change that now; but that opens the process up to a protest from the constituents.

Chairperson Mayans then closed the hearing on **HB 2832**.

Representative Morrison moved that **HB 2832** be amended on page 2, lines 24 and 25 (as shown on Attachment 2); and on line 33, strike "terms of office of", and on line 34 strike "not". Representative Long seconded the motion; the motion carried.

Representative Morrison moved that **HB 2832** be passed as amended. Representative Geringer seconded the motion; the motion carried.

Chairperson Mayans then opened the meeting for possible action on bills previously heard. Representative Geringer stated that after listening to yesterday's discussion to table **HB 2724** and Representative Morrison's concerns; he had time to reconsider the proposed bill. He said in light of the Attorney General's opinion and the chance of a lawsuit that could take years to settle, he was not satisfied to leave the bill in limbo. Therefore, Representative Geringer moved that **HB 2724** be brought to the table. Representative Horst seconded the motion; the motion carried.

Chairperson Mayans moved that **HB 2724** be passed, as amended. Representative Henry seconded the motion. Chairperson Mayans then asked if there was discussion on the motion. Representative Powell, noting the testimony heard concerning the various levels of dental assistants, moved that a new subsection (14) be inserted in **SB 2724** to cause those persons who have completed the education and training required to be known as preventive dental assistants. Representative Henry seconded the motion; the motion carried.

Representative Powell moved that **HB 2724** be passed as amended. Representative Henry seconded the motion; the motion carried. Representative Powell will carry the bill on the floor of the House.

Representative Gilmore then presented the subcommittee report on **HB 2630** (concerning behavioral science regulatory board; relating to qualified mental health professionals). She thanked the subcommittee members (Representatives Hutchins and Haley) for their untiring work. She noted the subcommittee recommendations reflected the concensus of those who also were present during the bill's deliberations. Representative Gilmore stated that section 3 of the bill is the only part of **HB 2630** that the subcommittee recommends for passage at

CONTINUATION PAGE

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES, Room 423-S State Capitol, at 1:30 p.m. on February 17, 1998

this time. The subcommittee also suggests that since the bill is substantially changed by this recommendation, it believes it requires a substitute bill.

Representative Gilmore stated the whole issue of mental health services has been piece-mealed together over the years. The subcommittee felt it is time to look at all the statutes affecting these services and determine a resolution to the educational and practice inequities that exist. Therefore, it recommends that a resolution be adopted establishing a task force on providers of mental health services to study the providing of treatment for persons with mental disorders.

The task force would be 13 members, 6 of whom would be legislators and the remaining from providers. The task force would be charged to review the laws administered by the Board of Healing Arts and the scope of practice for mental health professionals; determine their qualifications to permit diagnosis of mental disorders and set standards for providers to practice independently; and study the various approaches to delivering mental health services. The recommendations for the task force to make an interim report to the 1999 Legislature and a final report to the 2000 Legislature are subject to this committee's decision.

Discussion was held about the make up of the task force by providers and after discussion, on motion of Representative Gilmore, seconded by Representative Morrison, HB 2630 was amended by deleting "engaged in the teaching of" for two of the five members appointed by the Legislative Coordinating Council. The motion carried.

Representative Gilmore noted another concern of the subcommittee was the reimbursement of expenses for public members. After discussion, on motion of Representative Morrison, seconded by Representative Haley, the committee approved that the task force members will be reimbursed for expenses in accordance with the provisions of K.S.A. 46-1209. The motion carried.

There was discussion on the ending date for the task force; but it was noted that the task force can end its existence prior to the stated date if they determine they have fulfilled its charges.

After discussion of the resolution, on motion of Representative Gilmore, seconded by Representative Haley, the committee approved the passage of the resolution, as amended. Representative Gilmore will carry the resolution on the floor of the House.

A draft of the proposed **House Substitute for HB 2630** was reviewed. It essentially is section 3 of **HB 2630**. On motion of Chairperson Mayans, seconded by Representative Gilmore, House Substitute to HB 2630 was passed by the committee. Representative Gilmore will carry the bill on the floor of the House.

Representative Morrison then commented on the deliberations on **HB 2724** and **HB 2725**, wanting to make clear that Representative Powell did an admirable job as chairperson of the subcommittee. He stated his testimony yesterday questioning some provisions of the bill was not directed at Representative Powell, nor the subcommittee, but simply reflected the wishes of his district. Representative Morrison stated he supports the amendments to the bill.

The meeting was adjourned at 2:40 p.m.

The next meeting is scheduled for February 18, 1998.

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STATE OF KANSAS



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HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
MEMBER: AGRICULTURE
EDUCATION
FEDERAL AND STATE AFFAIRS

Testimony for HB 2832

Thank you for the opportunity to testify in support of House Bill 2832. I am pleased that the committee has taken the time to consider this piece of legislation.

This issue was brought to my attention by the Rawlins County Attorney. It changes the law in such a way that makes it possible for the counties, in which elections for the hospital board are held, to not have an election every year. According to the law, hospital boards, which hold elections, must:

1. Have an odd number of members (5, 7, 9).
2. Board members are to serve no less than 2 and no more than 4 years per term.
3. Not all terms may expire at the same time. (The positions must be staggered).
4. Not elect more than a majority of members in any one year.

This change in current law requires an election be held every year in order to fulfill the requirements of filling open seats. This coincides with the school board election which takes place every other year, consequently, the county has to pay the expense of an election and when more than two people file, a primary has to be held, which is even more expensive. If we can make it possible to have a majority elected in any given election, we can then have an election every two years. It can then be held at the same time the school board election takes place. This will help in two areas, more people will be willing to file and more people will be interested in the election. To my knowledge, this will only effect two counties in the state, both of which are in my district. Tom Bell might have a better figure. I had legislative research look at this and no one seems to keep track of this specific information.

It will not effect any county which does not wish to make any changes, they can continue to hold elections the same as they have in the past.

Because of an oversight in the revision of this bill it will also require one other change. **Page 2, line 24 and 25 delete - a majority of the members of the board are not selected at the same time.-**

Again thank you for the opportunity to appear before the committee.

HOUSE HHS COMMITTEE
Attachment 2-1
2 - 17 - 98

The Rawlins County Square Deal

The Way We See It...

Yearly election: Unnecessary expense

Three positions on the Rawlins County Health Center board of directors will be open for election April 7. The filing deadline is noon, Jan. 27.

Although the board positions are important ones, the election itself is an unnecessary waste of taxpayers' dollars.

The nine-member board is comprised of staggered three-year terms with three members elected each year. A 1989 resolution by the county commissioners established the election procedure of the board as the same method as other county officials are elected. The resolution sets the election on the first Tuesday in April at the same time and place as city and school board elections.

The problem is the three-year terms require an election every year. School board terms are set for four years and therefore elections are held every other year.

The election of the three board positions will cost taxpayers between \$1,500 and \$2,000, according to Rawlins County Clerk Meredith Hrnchir. If more than two people file for any one position, a primary, which is even more expensive, will have to be held.

Except for the occasional special question for county voters, the spring election is simply held to elect three RCHC board positions. Hrnchir said the Health Center board election could be made more efficient with the election coinciding with city and school board elections every other year. More people would file for the positions and more people would be interested in the election, she said.

Changing the terms of the board members to two or four years could solve the problem. Four positions would be open one election and five the next. Board positions could be dropped to a seven- or five-member board to eliminate so many terms expiring at one time.

According to Kansas Statue 19-4605, the Rawlins County Commissioners have the power to change the number of board members [five, seven or nine members] and their terms [not less than two years and not more than four years].

"The commission, upon being presented with a petition signed by not less than five percent of the qualified electors of the county requesting the manner of selection of the board be changed, shall adopt a resolution providing for the change," the statue states.

Several RCHC board members and Administrator Don Kessen expressed interest in the change to save unnecessary expenses to taxpayers. The County Commissioners are also interested in cutting waste and will address the issue at their Jan. 19 meeting, according to Henry Cahoj, commission chairman.

In changing the RCHC board elections or terms, the commissioners would be taking a stand for efficiency and fiscal responsibility and against this wasteful voting tradition and potential voter apathy.

— Mary Holle

Readers practice w

By Mary Holle

The quiet drone of conversation over coffee cups drifted aimlessly around the deli eating area in Williams Bros. IGA. The "regulars" were unaware of the treat in store for them Thursday and Friday morning until they were invaded by the "little people" carrying their first-grade readers.

Their leader, and principal, James Begley, had made arrangements with Mike Braxmeyer of Williams Bros. to showcase the first-grade readers of Atwood Grade School.

"I felt this was an opportunity to showcase our readers, to give them experience and to let them practice their skills," Begley said. "This also allows the students to meet people in the community."

Williams Bros. is just the first of many visits, according to the Begley. The 30 first grade students of Mrs. Genevieve Magee and Mrs. Patti Benda will also travel to The Donut Trail, the Obert Senior Center, Atwood Bowl and Fun Center and Curriers, all places where men and women gather for a comfortable chat and sip their daily dose of caffeine.

"I thought the kids needed some recognition for their good reading skills," Begley said. "We are going to read in differ-



Atwood first grade skills with Lloycing coffee-broed from one of the grade students ed upon the ur and Friday morn

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Message from the Governor

Gov. Bill Graves

Safer streets, commun

When I consider the many factors that make Kansas a great place to live, work and Some worry t putting too man prison and spendi

Regional Prevention

