

Approved: 2-23-98

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 February 16, 1998 in Room 526-S of the Capitol.

All members were present except:

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

Conferees appearing before the committee:

Dan Gronniger, Chief Counsel, Kansas Department on Aging  
Gary Mitchell, Secretary, Kansas Department of Health and Environment

Others attending: See attached list

**Briefing and Discussion on SB 129 - Secretary of Aging powers and duties; older Americans act, senior care act and long-term care programs**

Staff briefed the Committee on 1997 **SB 129** which would make several changes to the statutes that govern the operation of the Department on Aging. Some of those changes would eliminate the requirement that area agencies on aging have a local Senior Care Act Oversight Committee, repeal the requirement that the Department on Aging make an annual report each year to the legislature concerning the Senior Care Act, and authorize the Secretary of Aging to lend surplus property of the Department on Aging to the area agencies on aging or to the long-term care ombudsman to allow those programs to carry out their duties as required by state and federal law.

During Committee discussion on recommended changes to the bill, a member expressed concern with the broad language in the bill regarding adoption of rules and regulations necessary to administer the department's programs and services, and that the language, "provisions of this act" had been stricken from the bill on page 2, line 15. Dan Gronniger, Chief Counsel, Kansas Department on Aging, also was present to answer questions from the Committee about the bill. The Chair suggested that action on **SB 129** be held until an opinion could be obtained by a staff member of the Joint Committee on Administrative Rules and Regulations. The Chair then directed Committee staff to draft a balloon of the bill showing the proposed changes as recommended by the Committee, and final action on the bill would be held until more information related to adoption of rules and regulations could be obtained.

**Action on SB 434 - Health care data collection on certain health studies**

After Committee discussion on an amendment offered by the Kansas Medical Society that would provide the Secretary of Health and Environment, or the designee of the secretary, along with the Secretary of Social and Rehabilitation Services and the Insurance Commissioner, or their designees, to be voting members of the Health Care Data Governing Board, Senator Jones made a motion that the Committee adopt the amendment offered by the Kansas Medical Society, seconded by Senator Lee. The motion carried.

Senator Jones made a motion that the Committee recommend SB 434 as amended favorably for passage, seconded by Senator Lee. The motion carried.

**Action on Sub for SB 437 - Prevention of child lead poisoning**

Gary Mitchell, Secretary of Kansas Department of Health and Environment, briefed the Committee on **Sub for SB 437** and noted that the bill needs to be in effect before August 31, 1998, or EPA will dictate a lead

## CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE, Room 526-S  
Statehouse, at 10:00 a.m. on February 16, 1998.

based paint removal program for Kansas. Secretary Mitchell outlined key definitions and procedures of the bill for the Committee, and noted that if the state has a program in place that meets the minimum federal requirements, then communities can apply for lead based paint abatement programs. During Committee discussion it was pointed out that an amendment needed to be added to the bill that would exempt homeowners from being certified from lead based paint removal, as well as an amendment offered from the Christian Science Committee on Publication for Kansas that would add language on page 5, line 23, after CDC, "except that no child shall be screened or tested if the child's parent or guardian objects in writing that such screening or testing is contrary to the religious beliefs and practices of the parent or guardian." Senator Lee made a motion that the Committee adopt the amendments to **SB 437** relating to homeowners being exempt as well as the amendment offered by the Christian Science Committee, seconded by Senator Jones. The motion carried. Senator Hardenburger made a motion that the Committee recommend **SB 437 as amended** favorably for passage, seconded by Senator Salmans. The motion carried.

### **Approval of Minutes**

Senator Hardenburger made a motion to approve the Committee minutes of February 10, 11 and 12, 1998, as written, seconded by Senator Salmans. The motion carried.

### **Adjournment**

The meeting was adjourned at 11:00 a.m.

The next meeting is scheduled for February 17, 1998.

