

Approved: _____

Date

3-30-98

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 25, 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
JoAnn Bunten, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Action on HB 2607 - State long-term care ombudsman, attached to the Department of Administration

Staff briefed the Committee on HB 2607, and it was recommended by staff that three technical amendments needed to be made in the bill. On page 1, line 19, clean up language and delete, "for purposes"; on page 8, line 13, add a comma after the word "education", and on page 8, line 15, after the word "care", add "ombudsman".

After Committee discussion relating to the bill in regard to staffing, funding, creating a new agency, and advocates for nursing homes and staff, Senator Lee made a motion to amend HB 2607 with the technical amendments as recommended by staff, seconded by Senator Jones. The motion carried.

Senator Lee made a motion that the Committee recommend HB 2607 as amended favorably for passage, seconded by Senator Jones. The motion carried.

Action on HB 2723 - Use of automatic defibrillators by certain persons

Staff briefed the Committee on proposed amendments as shown in a balloon of HB 2723. (Attachment 1) After Committee discussion relating to the liability issue, qualifications of individuals, and authority of the state Board of Healing Arts to establish rules and regulations in regard to training persons to use the defibrillators, it was suggested that the balloon be amended by striking "automatic" on page 1 of the bill in the title and inserting "automated", defining "qualified person" as a person who (1) has completed a course "of training approved by the state board of healing arts based on rules and regulations adopted by the state board of healing arts", and any additional clean up of language or renumbering of subsections as suggested by staff.

Senator Becker made a motion that the amendments in the balloon of HB 2723 be adopted with recommended changes, seconded by Senator Langworthy. The motion carried.

Senator Lee made a motion that the Committee recommend HB 2723 as amended favorably for passage, seconded by Senator Langworthy. The motion carried.

The Chair announced that the Committee will discuss and possibly take action on Sub HB 2609 and HB 2669 at the next meeting.

Adjournment

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

The next meeting is scheduled for March 26, 1998.

SENATE PUBLIC HEALTH AND WELFARE COMMITTEE
GUEST LIST.

DATE: 3-25-98

NAME	REPRESENTING
RANDY TONGER	Post Audit
Tom Bell	KHA
Harold Kehm	KAOH
John Cole	Township. Iron
Preston Barton	DD Council
Greg Hill	Federico Consulting
Doug Drey	ANA
Andee Challen	ATA
DTZhn	KATSA
Michelle Peterson	Peterson Public Affairs Group
John Peterson	
Carolyn Mykleindorf	KSWA
Sharon Kuss	19th St. Jan Station
Permy L. Uhl	Sr. Cosmetologist / 19th St. H. St.

HOUSE BILL No. 2723

By Committee on Health and Human Services

1-27

Automated

Senate Public Health and Welfare
Date: 3-25-98
Attachment No. 1

10 AN ACT relating to ~~automatic~~ external defibrillators; authorizing use by
11 certain persons; ~~requiring training and activation of the emergency~~
12 ~~medical services system upon use of a defibrillator; encouraging certain~~
13 ~~persons and entities to register a defibrillator; providing immunity~~
14 ~~from liability for certain persons.~~

15
16 *Be it enacted by the Legislature of the State of Kansas:*

17 Section 1. ~~(a) It is the intent of the legislature that an An automatic~~
18 ~~external defibrillator may be used by any person who has satisfied the~~
19 ~~requirements of subsection (b)(1) for the purpose of saving the life of~~
20 ~~another person in cardiac arrest.~~

21 (b) In order to ensure public health and safety:

22 (1) All persons who have access to or use an automatic external de-
23 fibrillator must obtain appropriate training to include completion of a
24 course in cardiopulmonary resuscitation or successful completion of a
25 basic first aid course that includes cardiopulmonary resuscitation training
26 and have demonstrated proficiency in the use of an automatic external
27 defibrillator;

28 (2) any person or entity in possession of an automatic external defib-
29 rillator is encouraged to register with the local emergency medical serv-
30 ices ~~medical director~~ the existence and location of the automatic external
31 defibrillator; and

32 (3) any person who uses an automatic external defibrillator is re-
33 quired to activate the emergency medical services system as soon as pos-
34 sible upon use of the automatic external defibrillator.

35 ~~(c) Any person, including a person licensed to practice medicine and~~
36 ~~surgery, who gratuitously and in good faith renders emergency care or~~
37 ~~treatment by the use of or provision of an automatic external defibrillator,~~
38 ~~without objection of the injured victim or victims thereof, shall not be~~
39 ~~held liable for any civil damages as a result of such care or treatment or~~
40 ~~as a result of any act or failure to act in providing or arranging further~~
41 ~~medical treatment where the person acts as an ordinary reasonably pruden-~~
42 ~~t person would have acted under the same or similar circumstances.~~

*I Training approved
by the State Board
of healing arts
regs adopted by
the state BAA,*

qualified

(b) "Qualified person" means a person who: (1) has completed a course in cardiopulmonary resuscitation or a basic first aid course that includes cardiopulmonary resuscitation training, and: (2) has demonstrated proficiency in the use of an automatic external defibrillator. *automated*

(c) No person licensed to practice medicine and surgery by the state board of healing arts shall be liable for any damages occurring as a result of the use or failure to use an automatic external defibrillator by any person.