

Approved: _____

3-13-00

Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE.

The meeting was called to order by Chairperson Sandy Praeger at 10:00 a.m. on March 6, 2000 in Room 526-S of the Capitol.

All members were present except:

Committee staff present: Norman Furse, Revisor of Statutes
Lisa Montgomery, Revisor of Statutes
Hank Avila, Legislative Research Department
JoAnn Bunten, Committee Secretary

Conferees appearing before the committee:

Representative Gary Hayzlett
Chris Collins, Kansas Medical Society
Terri Roberts, Kansas State Nurses Association
Dr. Michael Moser, Director, Division of Health, KDHE

Others attending: See attached list

Hearing on HB 2701 - School districts, persons authorized to sign employee certification of health

Representative Gary Hayzlett testified before the Committee in support of **HB 2701** which would allow Advanced Registered Nurse Practitioners and Physician Assistants to sign a certificate of health for school district employees who come in contact with pupils. Representative Hayzlett provided the Committee with written testimony from Steven S. Reiner, Kearny County Hospital Administrator, in support of the bill. (Attachment 1)

Chris Collins, Kansas Medical Society, appeared before the Committee in support of **HB 2701** and noted that KMS supports the concept that ARNP's and PA's should be able to conduct health examinations and sign health certifications. However, Ms. Collins pointed out that such activities should not be done independently and outside of the framework of the physician-directed health care team. (Attachment 2) Terri Roberts, Kansas State Nurses Association, also expressed her support for the bill. (Attachment 3) Committee discussion related to language in the bill regarding communicable diseases of participating health care workers and religious objection to examination and compromise.

There were no opponents to **HB 2701**.

Action on HB 2701

Senator Salmans made a motion that the Committee recommend **HB 2701** favorably for passage, seconded by Senator Hardenburger. The motion carried.

Hearing on HB 2756 - Commission on Epilepsy repealed

Michael Moser, MD, Director of the Division of Health, KDHE, testified before the Committee in support of **HB 2756** which would repeal a statute that created a 12-member Commission on Epilepsy within the Department of Health and Environment in 1990 by SB 371. Dr. Moser gave a background history of the Commission and the reason for repeal of the statute as noted in his written testimony. (Attachment 4) The Committee was provided a copy of K.S.A. 75-5655 that established the Commission on Epilepsy. (Attachment 5) It was pointed out during Committee discussion that this bill would not in any way jeopardize 1999 HCR 5014 that requested the establishment of a Kansas Interdisciplinary Institute for Epilepsy at the KU Medical Center in Kansas City under the direction of Dr. Ivan Osorio.

There were no opponents to **HB 2756**.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE, Room 526-S,
Statehouse, at 10:00 a.m. on March 6, 2000.

Action on HB 2756

Senator Jones made a motion that the Committee recommend **HB 2756** favorably for passage, seconded by Senator Becker. The motion carried.

Adjournment

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

The next meeting is scheduled for March 8, 2000.

SENATE PUBLIC HEALTH AND WELFARE COMMITTEE GUEST LIST

DATE: 3-6-00

Carrie Ann Lower KAHP

NAME	REPRESENTING
Carolyn Middleton	KSNA
Carolyn Geyer	Topeka
Sandi Kelly	Lawrence
Maura Glenn	KOA
Mike White	KOA
Wes Gordon	KOA
Rep. Gary Hayzlett	
Koger Joyce	KOA
MAX MANCILLAS	KOA
Terry Carney	KOA
Gary L. Beaver, MD	KOA
DAVID WALDIE	KOA
Kevin Berone	Hem/weir Chrt'd.
Terri Roberts	KSNA
Michael Moser	KDHE
Hally Finney	Ks. Public Health Assn.
KATH R LANDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
Chris Collins	Ks Medical Society
Rebecca Rini	KCA & KANA

Chip Wheelen

Osteopathic Assn

Jon Josselyn

KU

Tom Bell

KHA

SB 232

Kearny County Hospital High Plains Retirement Village

500 Thorpe Street, Lakin, Kansas 67860
Telephone 316 355 7111 Fax 316 355 7141 Email sreiner@pld.com

January 26, 2000

Representative Gary Hayzlett
P.O. Box 66
Lakin, Kansas 67860

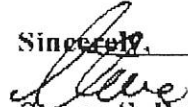
Dear Representative Hayzlett:

Thank you for your representation of our community schools and health services through the introduction of House Bill No. 2701. This Bill updates existing KSA 72-5213 by allowing advanced registered nurse practitioners, as well as persons licensed to practice medicine and surgery as the language of the existing law states, to sign certificates of health of school district employees.

House Bill 2701 is very important to us in Kearny County. We have two full time Family Practice Physicians and one 2/3 time Obstetrician/Gynecologist and they are very busy in hospital, clinic, emergency and long term care settings. There are also times during the year that they may be away for education or other leave. There have been many times in the past year when their schedules were completely booked, and sometimes double booked! We also have two ARNPs here who work with our physicians, and HB 2701 allows our physicians the flexibility to assign the primary care task of certifying school district employee health to physicians or ARNPs as our staff and our patients feel is most appropriate and efficient.

Nurse practitioners are an important source of primary medical care in Kansas and the United States. The practice of ARNPs is well regulated by existing Kansas regulations. The quality of primary care ARNPs provide has been shown time and time again to be excellent and cost-effective, and I have no hesitation in stating that the care ARNPs provide in Kearny County is excellent and cost-effective. House Bill 2701 does modernize an existing Kansas law to reflect current best practices of care in our community and many others.

If there is anything at all that I can add to assist you in the passage of House Bill 2701, please let me know at any time. Again thank you for your excellent representation of us and best wishes!

Sincerely,

Steven S. Reiner, M.A., M.S., FACHE, Administrator

Senate Public Health and Welfare
Date: 3-6-00
Attachment No. 1

1-2

ADVANCED REGISTERED NURSE PRACTITIONERS

BY SPECIALTY

	1994	1995	1996	1997	1998	1999
Clinician/Practitioner - ARNP	282	341	401	559	714	989 ✓
Clinical Nurse Specialist	266	449	484	553	603	695
Nurse Midwife	8	13	15	21	34	48
Nurse Anesthetist	420	405	403	448	492	526
TOTAL	976	1208	1303	1581	1843	2258

Provided by the Kansas State Board of Nursing, 01/27/00



KANSAS MEDICAL SOCIETY

To: Senate Committee on Public Health and Welfare

From: Chris Collins *Chris Collins*
Director of Government Affairs

Date: March 6, 2000

RE: HB 2701; Health Certifications of School Employees

The Kansas Medical Society appreciates the opportunity to testify today on HB 2701 regarding health certifications. KMS respectfully urges the passage of this bill out of committee.

HB 2701 requests amendments to K.S.A. 72-5213, which addresses mandatory health screenings for school employees. In its current form, the statute requires that physicians sign a form certifying that they have performed a physical on the school employee and that there is no evidence of a physical condition that would conflict with the health, safety or welfare of the pupils and that the employee is tuberculosis-free. HB 2701, in its original form, would have amended the statute so that only advanced registered nurse practitioners, but not physician assistants, could independently perform the health examination and sign the health form. KMS requested an amendment that was adopted by the House Health and Human Services Committee that also permitted PA's to perform screenings and sign certifications and clarified that both ARNP's and PA's could do so only "when such person is working at the direction of or in collaboration with a person licensed to practice medicine and surgery." That is the final form in which HB 2701 passed out of the House of Representatives and, thus, KMS does support HB 2701.

The Kansas Medical Society respects the contributions that advanced registered nurse practitioners and physician assistants bring to the health care team. KMS supports the concept that ARNP's and PA's should be able to conduct health examinations and sign health certifications. However, such activities should not be done independently and outside of the framework of the physician-directed health care team.

The Kansas Medical Society appreciates the opportunity to comment on HB 2701 and would respectfully request the committee's passage of HB 2701 in its present form. Thank you for your consideration of our comments.



1208 SW Tyler
Topeka, Kansas 66612-1735

785.233.8638 * FAX 785.233.5222
www.nursingworld.org/snas/ks

the Voice of Nursing in Kansas

Emma Doherty, M.A.,
President

Terri Roberts, J.D., R.N.
Executive Director

February 6, 2000

H.B. 2701 ARNP's authorized to perform School Employee Physical Exams for *Certifications of Health*

Good morning Chairperson Praeger and members of the Senate Health and Human Services Committee, I am Terri Roberts with the KANSAS STATE NURSES ASSOCIATION here to testify in support of H.B. 2701 and the changes it makes in current statute.

This bill is very straightforward and simple, it expands by including Advanced Registered Nurse Practitioners (ARNP's) as health providers that can perform and sign "certifications of health" for employees of school districts. ARNP's now perform employee, well woman, well baby and general physicals every day on hundreds of Kansans. This change in the statute would reduce one barrier for ARNP's services by permitting them to perform and sign the forms required by school districts for their new employees. Currently there are 2258 ARNP's in Kansas (989 Nurse Practitioners, 695 Clinical Nurse Specialists, 48 Nurse Midwives and 526 Nurse Anesthetists). In Kansas there are currently four state universities that have programs preparing ARNP's (Wichita State University, Pittsburg State University, Fort Hays State University and Kansas University), with about eighty graduates every year. Nurse practitioners throughout our state have been delivering primary care for over twenty-five years now, making care in many communities much more accessible.

Currently, Kansas has over 150 rural health clinics providing primary care to Kansas citizens, and rural health clinics *by definition must be staffed at least half-time by either a Nurse Practitioner or Physician Assistant*. Most Kansas rural health clinics are staffed with nurse practitioners, and they are responsible for providing primary care in their communities and making appropriate referrals to physician and medical specialties when indicated. Additionally, primary care clinics in health departments and clinics serving the uninsured are predominantly staffed with nurse practitioners.

We appreciate the opportunity to testify on this proposed legislation and ask for your support of H.B. 2701.

Thank You.

The mission of the Kansas State Nurses Association is to promote professional nursing in Kansas and to advocate for the health and well-being of

Constituent of The American Nurses As:

Senate Public Health and Welfare
Date: 3-6-00
Attachment No. 3



KANSAS
DEPARTMENT OF HEALTH & ENVIRONMENT
BILL GRAVES, GOVERNOR
Clyde D. Graeber, Secretary

Testimony presented to the
Senate Public Health and Welfare Committee

March 6, 2000

by

Michael Moser, MD, MPH

HB 2756

The Commission on Epilepsy was created by 1990 Senate Bill 371 and was effective July 1, 1990. The Commission was to sunset July 1, 1993 per K.S.A. 74-7280. However, K.S.A. 74-7280 was later repealed by Senate Bill 471 effective July 1, 1992. Senate Bill 471 also repealed K.S.A. 75-5655 (e), which provided that the provisions of the Kansas Sunset Law applied to the Commission on Epilepsy.

From file documentation the Commission on Epilepsy was unaware the sunset provision had been repealed. The Commission submitted what they considered their Final Report to Governor Joan Finney in August of 1993. The Final Report was accepted and the commission held no further meetings. It is also documented that the Commission, thinking it would sunset, recommended not to request continuation of the Commission past July 1, 1993 due to the lack of funding, staffing and general support needed to carry out the statute.

The Kansas Department of Health and Environment supports the repeal of K.S.A. 75-5655.

75-3655. Commission on epilepsy established; membership; appointment; duties; meetings; expense allowances.

(a) There is hereby established within the department of health and environment a commission on epilepsy consisting of 12 members. The secretary of health and environment or the secretary's designee shall be a member and the secretary shall appoint one person who is licensed to practice medicine and surgery and has expertise in the field of epilepsy, one person with epilepsy, one person who is the parent of an epileptic child, one public elected official, and one member of the general public with an interest in the field of epilepsy. The secretary of human resources or the secretary's designee shall be a member and the secretary shall appoint one employer located in the state of Kansas whose work force includes an epileptic employee. The secretary of social and rehabilitation services or the secretary's designee, who shall be a professional knowledgeable in the field of epilepsy, shall be a member. One member shall be appointed by the board of the Kansas affiliate of the epilepsy foundation of America. The commissioner of education or the commissioner's designee shall be a member and the commissioner shall appoint one certified teacher who is working with epileptic youth. Appointive members of the commission shall serve for a term of three years. All vacancies in the appointive membership of the commission shall be filled in the same manner as originally filled, except that vacancies created for reasons other than expiration of terms of office shall be filled for the unexpired terms.

(b) The commission on epilepsy shall advise the secretary of health and environment in regard to matters relating to epilepsy, shall make an annual report, at the commencement of each regular session of the legislature, to the legislature, the governor, the secretary of health and environment, the secretary of human resources, the secretary of social and rehabilitation services, the commissioner of education and the board of the Kansas affiliate of the epilepsy foundation of America concerning the implementation of the findings and recommendations of the task force on epilepsy and other seizure-related disorders created under 1988 Senate Bill No. 461 (L. 1988, ch. 225), and shall monitor developments within the field of epilepsy relating to the needs of persons with epilepsy.

(c) The chairperson and vice-chairperson of the commission shall be designated by the secretary of health and environment. The commission shall meet at the call of the chairperson but not less than four times a year. A majority of all the members of the commission shall constitute a quorum.

(d) The appointive members of the commission attending meetings of the commission, or attending a subcommittee meeting thereof authorized by the commission, shall be paid amounts provided in subsection (e) of K.S. 75-3223, and amendments thereto. Amounts paid under this subsection (d) shall be from appropriations to the department of health and environment upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the commission or a person designated by the chairperson.

History: L. 1990, ch. 271, § 1; L. 1992, ch. 116, § 51; July 1.

ADVISORY COMMISSION ON HEALTH AND ENVIRONMENT