

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 9, 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:

R. D. "Tuck" Duncan, representing the Kansas Occupational Therapy Association

Others attending: See attached list

**Hearing on HB 2757 - Addition or registered athletic trainers as health care providers for purposes of good Samaritan law**

The Chair noted that Jim Sperry, who represented the Kansas Athletic Trainers Society, had requested introduction of the bill in the House Health and Human Services Committee that would add registered athletic trainers to the definition of "health care provider" and amend a statute commonly referred to as the good Samaritan law. Mr. Sperry had recently been killed in an automobile accident. Therefore, Scott A. Winslow, Hays, chairperson of the legislative committee of the Kansas Athletic Trainers Society, expressed his support in writing for **HB 2757**. (Attachment 1) The bill would include registered athletic trainers, licensed respiratory therapists and registered occupational therapists as health care providers who would be granted relief from civil liability under certain circumstances when they provide care at the scene of an accident or emergency. Testifying before the Committee in support of the legislation was R. E. "Tuck" Duncan representing the Kansas Occupational Therapy Association. (Attachment 2)

There were no opponents to the bill.

**Action on HB 2757**

After Committee discussion, Senator Jones made a motion that since **HB 2757** was of a noncontroversial nature, the bill be placed on the consent calendar, seconded by Senator Hardenburger. The motion carried.

**Introductions**

Senator Hardenburger introduced her husband, Bill, from Haddam, Kansas, and their son and grandson from New Jersey who were guests at the hearing.

**Adjournment**

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

The next meeting is scheduled for March 13, 2000.





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(913) 233-4111

March 9, 2000

To: *Senate Committee on  
Public Health and Welfare*

From: *R. E. "Tuck" Duncan  
Kansas Occupational Therapy Association*



RE: *HB 2757*  *GOOD SAMARITAN LAW*

*On behalf of the KOTA I request your favorable support for HB 2757. This bill amends the Good Samaritan Law to include registered occupational therapists, registered athletic trainers and licensed respiratory therapists as "health care providers" who would be granted relief from civil liability, under certain circumstances, when they provide care at the scene of an accident or emergency.*

*Thank you for your consideration of this matter.*

Senate Public Health & Welfare  
Date: *3-9-00*  
Attachment No. *1*

**Testimony of Scott A. Winslow MS/ATC-R**  
**Senate Public Health and Welfare Committee**  
**House Bill No. 2757**  
**March 9, 2000**

**Chairperson Praeger and Members of the committee:**

Thank you for the opportunity to submit written testimony regarding House Bill No. 2757. I am Scott Winslow, chairperson of the legislative committee of the Kansas Athletic Trainers' Society. I have been a Certified Athletic Trainer for the past 7 years, and am currently employed in Hays, Kansas. I am submitting this written testimony on behalf of the more than 200 Athletic Trainers, registered with the Kansas State Board of Healing Arts, who provide athletic training services to the citizens of Kansas.

The Certified Athletic Trainer (ATC) is an allied health care provider, educated and experienced in the prevention, initial evaluation, care and reconditioning of injuries related to physical activity. Emergency care and stabilization is part of the education for Student Athletic Trainers, and is contained in the learning objectives of the examination required to become a Certified Athletic Trainer. The Kansas Athletic Trainers' Society was founded in 1980, as the state constituent organization of the National Athletic Trainers' Association (NATA). The NATA is the national organization responsible for the certification, through examination, of Athletic Trainers. In 1990, the American Medical Association officially recognized Athletic Trainers as allied health care providers. In 1995, the Kansas Legislature enacted statutes requiring Athletic Trainers to register with the Kansas State Board of Healing Arts, prior to practicing within the state of Kansas. This practice is authorized by working under the supervision of a licensee of the Board, via written practice protocol guidelines.

K.S.A. 65-2891 sets forth protection from certain liabilities for the health care providers listed. Because Athletic Trainers were not regulated by the state of Kansas at the time this statute was passed, Athletic Trainers are not included in the definition of "health care provider" within the statute, thus offering these professionals the protection set forth in the statute. House Bill No. 2757 simply adds the profession of athletic training to the definition of "health care provider", as referenced in K.S.A. 65-2891. Passage of this Bill will enhance the accessibility to care for those persons in emergency situations.

In closing, I ask that your committee pass House Bill No. 2757, and report it favorable for passage by the entire Senate. Thank you again for your time, consideration, and the opportunity to provide this testimony.

Scott A. Winslow MS/ATC-R  
Kansas Athletic Trainers' Society

Senate Public Health & Welfare  
Date: 3-9-00  
Attachment No. 2