

Approved: February 1, 2001
Date

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES.

The meeting was called to order by Chairperson Garry Boston at 1:30 p.m. on January 23 in Room 210 Memorial Hall

All members were present except: Representative Nancy Kirk, Excused
Representative Brenda Landwehr, Excused

Committee staff present: Dr. Bill Wolff, Kansas Legislative Research Department
Norman Furse, Revisor of Statute's Office
June Evans, Secretary

Conferees appearing before the committee: Representative Kathe Lloyd
Deb Hollon, Legislative Research Department
Lesa Roberts, Kansas Department of Health & Environment

Others attending: See Attached Sheet

The following bills were introduced:

Debra Zehr, Vice President, Kansas Association of Homes and Services for the Aging requested a bill to provide the state, in partnership with private providers of long term care services, should initiate a comprehensive and sustainable program that provides a process for quantifiable and continual improvement in the quality of long term care and services, support and training for the workers who provide long term care and services and fiscally prudent funding to prepare for the anticipated increase in the number of older Kansans that will need long term care services in the years ahead.

Chris Collins, Kansas Medical Society, requested a bill amending K.S.A. 60-427 regarding the confidentiality of information about drug-seeking patients and amending K.S.A. 65-6004 HIV/HepB reporting to Good Samaritans.

The Chairperson stated the bills were introduced with no objections.

Representative Kathe Lloyd stated the 2000 Joint Juvenile Justice Oversight Committee took testimony from numerous people regarding students with head lice which was the number one cause of truancy among younger children. The Oversight Committee made some proposed changes in the current compulsory attendance law to tighten the rules across the state and are asking the Health and Human Services Committee to address the head lice issue (Attachment 1).

Deb Hollon, Fiscal Analyst, Kansas Legislative Research Department, stated the Joint Committee on Corrections and Juvenile Justice Oversight recommended in its annual report to the Legislature that recognizing that health problems such as head lice can break the pattern of attendance and initiate truant behavior in elementary age children, the Joint Committee recommends that the issue of head lice be examined by the House Health and Human Services and the Senate Public Health and Welfare Committees. Specifically, the Joint Committee suggests review of the possibility of county nurses serving as resources in eradicating homes of lice and of local school districts determining at what point students who have had lice should return to school (Attachment 2).

Discussion followed and Representative Lloyd suggested a video for school nurses to show parents because many of them could not understand the written information.

Representative DeCastro stated that videos in several languages were available to school nurses.

Lesa Roberts, Director, Health Occupations Credentialing, Kansas Department of Health and Environment, gave a briefing on the Health Occupations Credentialing Act. Credentialing review is accomplished through a process outlined in the law and the administrative rules and regulations. The

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES, Room 210, Memorial Hall at 1:30 p.m. on January 23.

Health Occupations Credentialing Act requires that any health profession seeking credentialing by the state apply to the Secretary of KDHE and participate in a thorough review of the occupation and its impact on health care and the health and safety of the citizens of Kansas (Attachments 3 & 4).

Representative Palmer questioned what were the benefits of licensing?

Ms. Roberts said that public accepts licensing better and there are remunerative benefits.

The Chairperson appointed a Sub-Committee on Licensing with the charge of "the purpose of the sub-committee is to develop expertise in the area of licensing, certification and registration. Formulating recommendations to the standing committee regarding the recommended avenue to pursue licensing. The sub-committee will make recommendations regarding a future course for those wishing to obtain licensing. Previous credentialing, or lack of same, shall be considered in making the recommendation to the full standing committee.

The committee should return a recommendation for each request for licensing. The Chairman (or designee) shall make the majority report for the sub-committee. A minority report may be authorized by the Health & Human Services Chair provided time and circumstances permit. Should two committee reports (majority and minority) be issued each will be included in the minutes of that day. The majority report will be the only report used to determine future action of the standing committee. The sub-committee report will be voted upon by the entire standing committee present on the day the vote is called. Only one majority (and minority) report will be accepted.

The Sub-Committee members are: Representatives Morrison, Chair, Lightner, Vice Chair, Sue Storm, Gwen Welshimer, Nancy Kirk, Lana Gordon, and Ray Merrick.

The meeting adjourned at 2:10 and the next meeting will be January 24.

KATHE LLOYD
417 NORTHRIDGE COURT
CLAY CENTER, KANSAS 67432
(785) 632-5989
FAX 785-632-5989
Email: lloydsk@kansas.net



TOPEKA
HOUSE OF
REPRESENTATIVES

REPRESENTATIVE, SIXTY-FOURTH DISTRICT
CLAY, DICKINSON, GEARY,
RILEY COUNTIES

STATE CAPITOL
ROOM 182-W
TOPEKA 66614-1504
(785) 296-7637

COMMITTEE ASSIGNMENTS
VICE-CHAIR: K-12 EDUCATION
MEMBER: CORRECTIONS & JUVENILE
JUSTICE
JUDICIARY
PUBLIC SAFETY BUDGET

Head Lice & Truancy

Dear Mr. Chairman and members of the committee:

Over the course of the summer of 2000 the joint Juvenile Justice Oversight committee took testimony from numerous people, including school nurses, superintendents and county health nurses. When word of hearings on the truancy issue got out everyone wanted to talk to us about head lice being the number one cause of truancy among younger children. It seems that the health issue and the law which Kansas now has contributes to problems of keeping children out of school. By no means am I suggesting that the current law restricting someone from school because of infestation with head lice be changed.

The problem is that sometimes parents are just not equipped to address the situation. Getting rid of head lice is a complicated dedicated process that I hope by studying the issue help can be provided.

Once children start missing school, especially in the lower grade, they start falling behind in academics. Once that starts happening it becomes apparent to the child and usually the teachers that the child does not compare to their peers. As a student reaches middle school it seems easier to just not attend school. Once this start happening many times we see a youth getting into trouble and entering the juvenile system.

Members of the Juvenile Justice Oversight committee have made some proposed changes in the current compulsory attendance law to tighten the rules across the state. We are asking for help in addressing the head lice issue from this committee.

Rep. Kathe Lloyd
64th District

A handwritten signature in cursive script that reads "Kathe Lloyd".

Heath & Human
Services
1-23-01
Atch #1

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

Rm. 545N-Statehouse, 300 SW 10th Ave.
Topeka, Kansas 66612-1504
(785) 296-3181 ♦ FAX (785) 296-3824

kslegres@klrd.state.ks.us

<http://skyways.lib.ks.us/ksleg/KLRD/klrd.html>

January 23, 2001

To: House Health and Human Services Committee

From: Deb Hollon, Fiscal Analyst

Re: Head Lice

The Joint Committee on Corrections and Juvenile Justice Oversight heard testimony throughout the 2000 Interim regarding head lice, its effect on the school attendance of young children, and possible changes in state policy to address those issues.

Kansas Administrative Regulation 28-1-6 lists requirements for dealing with various infectious and contagious diseases. The subsection pertaining to head lice, or pediculosis, states:

“Students infested with lice shall be excluded from school or child care facilities until treated with an antiparasitic drug and until all nits have been removed.”

In 1999, the Kansas Department of Health and Environment (KDHE) proposed eliminating the “no nit” policy, but public comment by parents, school officials and nurses, and the Joint Committee on Administrative Rules and Regulations resulted in retention of that language.

The arguments surrounding the no nit policy have to do with its effectiveness in preventing the spread of head lice. KDHE contends that the likelihood of transmission is very low when only nits are present and the child is being treated properly. A representative of the Kansas School Nurse Organization testified to the Joint Committee that the policy is the one tool a school nurse has to ensure compliance with treatment protocol. That individual also stated that many school nurses are flexible in carrying out the policy if there is evidence of improvement in the child’s condition.

In addition to testimony specifically relating to the no nit policy, the Joint Committee heard educators’ concerns at meetings throughout the state regarding health-related absences of young children. As a result of these concerns, the Joint Committee included the following recommendation in its annual report to the Legislature:

“Recognizing that health problems such as head lice can break the pattern of attendance and initiate truant behavior in elementary age children, the Joint Committee recommends that the issue of head lice be examined by the House Health and Human Services and the Senate Public Health and Welfare Committees. Specifically, the Joint Committee suggests review of the possibility of county nurses serving as resources in eradicating homes of lice and of local school districts determining at what point students who have had lice should return to school.”

Health & Human
Services
1-23-01
Atch # 2



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

Briefing on
Health Occupations Credentialing Act

to the
House Committee on Health and Human Services

by
Lesa Roberts, Director, Health Occupations Credentialing
January 23, 2001

Chairman Boston, committee members, I am honored to have this opportunity to appear before the House Committee on Health and Human Services to discuss the Health Occupations Credentialing Act. I will begin with a very brief history of the credentialing review process in Kansas.

During the 1970s, the Kansas legislature received a multitude of requests, an increasing number of requests, from health care professions or occupations for initial credentialing. To address this issue, in 1980 the Kansas Credentialing Act, KSA 65-5001 *et seq.* was adopted. The purpose of the act was to provide a mechanism to advise the legislature on societal costs/benefits of credentialing a particular health care profession or occupation. Policies and procedures to carry out the provisions of the act were developed by the Statewide Health Coordinating Council.

In 1986, the Statewide Health Coordinating Council was dissolved. The Credentialing Act was amended, with administrative authority transferred to the Kansas Department of Health and Environment, Office of Health Policy and Planning. In 1988, the Health Occupations Credentialing unit of KDHE was developed.

The purpose of Credentialing Review under the Health Occupations Credentialing Act is twofold: 1) provide the legislature a thorough analysis of the application for credentialing, by gathering and describing information through technical and public meetings; and 2) recommend to the legislature whether a group should be credentialed, and if so, at what least restrictive level is necessary to protect the public.

The credentialing review is accomplished through a process outlined in the law and the administrative rules and regulations. The Health Occupations Credentialing Act requires that any health profession seeking credentialing by the state apply to the Secretary of KDHE and participate in a thorough review of the occupation and its impact on health care and the health and safety of the citizens of Kansas.

The first step is to submit a letter of intent to the Secretary of KDHE. The letter is reviewed to assure that it provides the required information about the occupation or profession and the occupation fits the definition of health care profession or occupation under the act. If so, the letter of intent is approved and the applicant group may proceed. Upon receipt of a completed application for credentialing and fee from an applicant group, the Secretary appoints a technical committee consisting of seven members. Four members must be health care professionals and three are consumer representatives. No member of the technical committee can have a personal interest in the health occupation or profession under review.

The technical committee then conducts a formal review of the application under the scope of the law. The review process takes about six months to complete and includes at least four fact-finding public meetings. These meetings are to cumulate data and formulate a recommendation to the Secretary. The Secretary forwards the entire report and his recommendation to the legislature. The Secretary is not bound by the technical committee's recommendation, nor is the legislature bound by the Secretary's recommendation.

Each legislative session bills are introduced which have relevance to this law. Bills typically are intended to change a currently credentialed profession to a higher level of credentialing (registration to licensure), or, are introduced by occupations which have not completed the Health Occupations Credentialing Act review. Upon occasion, bill have been introduced in contrast to the recommendations resulting from a Credentialing review.

The Health Occupations Credentialing Act is a tool for the legislature to use in assessing the impact credentialing will have on the public and upon health care. I appreciate your attention and interest in this program and would gladly responde to any questions you have.

Presented by: Marla Rhoden, Health Program Analyst
Health Occupations Credentialing
Kansas Department of Health and Environment

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

January 3, 2001

Dear Kansas Legislator:

As a legislator, you are faced with various requests by constituents for new laws or amendments to existing laws. For the past several years, proposals for new or amended health occupation statutes have been introduced every session. In order to help you in sorting through these requests, I am sending a summary of the health occupation credentialing process established by the Kansas Health Occupations Credentialing Act (HOCA) at K.S.A. 65-5001. It is our hope that the summary will help Kansas lawmakers by providing a thumbnail sketch of the credentialing review process. Many times legislators have not been aware of this law until a hearing on a bill is conducted. This is not always the best time to introduce this requirement, when you are in the throws of legislative decision-making.

The Health Occupations Credentialing Act is administered by the Kansas Department of Health and Environment, through its Health Occupations Credentialing (HOC) section. The Act is described in detail in the "Kansas Credentialing Review Program Manual for Applicants." This manual includes an outline of the review process and a description of the criteria which must be met in order for a health profession or occupation to become credentialed in Kansas as well as a copy of the Act (K.S.A. 65-5001 *et seq.*) and pertinent regulations (K.A.R. 28-60-1 through 28-60-9). There is also a list of health care professions currently credentialed (licensed, registered or certified) in Kansas in the back of the manual. If you are interested in reviewing the manual, it can be found on the HOC web page at www.kdhe.state.ks.us/hoc or you can contact me by phone at 296-1281 or e-mail lroberts@kdhe.state.ks.us to request a copy. Please feel free to contact me if you have questions or need further information.

Sincerely,

Lesa Roberts, Director
Health Occupations Credentialing

Attachment

c: Clyde D. Graeber, Secretary of Health and Environment
Michael Moser, MD, MPH, Director of Health
Joseph F. Kroll, Director of Health Facilities

DIVISION OF HEALTH
Bureau of Health Facilities
Health Occupations Credentialing

Landon State Office Building
900 SW Jackson, Room 1051-S
Topeka, Kansas 66612-1290

Phone:(785)296-0056
Fax:(785)296-3075
www.kdhe.state.ks.us/hoc

Health the Human
Services
1-23-01
Atch #4



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

Summary
Health Occupations Credentialing Act

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This review is accomplished through a process outlined in the act and administrative rules and regulations. The Health Occupations Credentialing Act requires that any health profession seeking credentialing by the state apply to the Secretary of KDHE and participate in a thorough review of the occupation and its impact on health care and the health and safety of the citizens of Kansas.

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The technical committee then conducts a formal review of the application. The review process takes about six months to complete and includes at least four fact-finding public meetings to cumulate data and formulate a recommendation to the Secretary. The Secretary's recommendation is then forwarded to the legislature. The Secretary is not bound by the technical committee's recommendation, nor is the legislature bound by the Secretary's recommendation. The enacting of any credentialing law is the result of the legislative process and is not automatically assured by the outcome of this review. The legislature and Governor have final authority.

DIVISION OF HEALTH
Bureau of Health Facilities
Health Occupations Credentialing

Landon State Office Building
900 SW Jackson, Room 1051-S
Topeka, Kansas 66612-1290

Phone:(785)296-0056
Fax:(785)296-3075
www.kdhe.state.ks.us/hoc

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