

Approved: _____
Date

3-28-01

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH & WELFARE.

The meeting was called to order by Chairperson Senator Susan Wagle at 1:30 p.m. on March 5, 2001 in Room 231-N of the Capitol.

All members were present except:

Committee staff present: Ms. Emalene Correll, Legislative Research Department
Mr. Hank Avila, Legislative Research Department
Mr. Norman Furse, Revisor of Statutes
Ms. Lisa Montgomery, Revisor of Statutes
Ms. Rebecca Zapick, Intern for Senator Barnett
Ms. Margaret Cianciarulo, Administrative Assistant

Conferees appearing before the committee: Ms. Joyce Volmut, Executive Director, Kansas Association of Medically Underserved

Others attending: See attached guest list.

Action on SB 305 - Required testing for hepatitis B for persons charged with certain offenses.

Upon calling the meeting to order, Chairperson Wagle called attention to the handouts before the Committee which consisted of Fiscal Notes from the Division of the Budget. Of particular interest was the Fiscal Note for **SB 305**. After having the opportunity to review, Chairperson Wagle asked if the Committee felt comfortable working the bill. Senator Brungardt made a motion to pass SB 305. Senator Salmans seconded the motion. The motion carried.

Hearing on HB 2210 - distribution and control of drugs in indigent health care & federally qualified health centers.

Next on the agenda was a hearing for **HB 2210**. Chairperson Wagle asked that Mr. Norman Furse, Revisor of Statutes, give a brief overview of the bill. The highlights of his overview included: the addition of indigent health care clinics and federally qualified health centers, the list of entities that may keep drugs for the purpose of distributing them to patients being treated and additional language in section 1 *for an advanced registered nurse practitioner*, noting that these ARNP's are registered nurses, and *licensed physician assistant*.

Chairperson Wagle asked the Committee if they had questions or comments. Questions were asked from Senators Steineger and Praeger and Ms. Correll and answered by Mr. Furse and Ms. Susan Linn, Executive Secretary, Kansas State Board of Pharmacy, ranging from ARNP language being redundant, do pharmacists need to be on site each day, to inquiries on FQHC's.

With no further discussion, Chairperson Wagle introduced the only conferee to testify, Ms. Joyce Volmut, Executive Director, Kansas Association of Medically Underserved. As a proponent, Ms. Volmut asked that the words medically indigent clinics, as defined by the Secretary of Health and Environment and FQHC's be added to the current Kansas statute concerning pharmaceutical storage in specific medical facilities. A copy of her written testimony is (Attachment #1) attached hereto and incorporated into the Minutes by reference.

Written proponent testimony was also provided by Ms. Terry Roberts, Executive director, Kansas State Nursing Association and Ms. Susan Linn, Executive Secretary, Kansas State Board of Pharmacy. Copies of their written testimonies are (Attachment #2 and 3) attached hereto and incorporated into the Minutes by reference.

As there was no opponent or neutral testimony, a question and answer discussion followed with Senators Praeger and Barnett with Ms. Volmut regarding ARNP title.

Action on HB 2210

Senator Praeger moved to amend HB 2210 by striking the words “Advanced Registered Nurse Practitioner.” Senator Steineger seconded the motion. The motion carried. Senator Steineger then motioned to move HB 2210 out of the Committee favorably as amended. Senator Praeger seconded the motion. The motion carried.

Hearing on HB 2457 - physician assistant licensure act external statutory references.

The next order of business was the hearing on **HB 2457**. Again Chairperson Wagle requested Mr. Furse give an overview of the bill. Mr. Furse stated that technical changes were made in statutes to accurately reflect that physician’s assistants are licensed individuals under the Physicians Assistants Licensure Act and that two statutes, amended twice in the 2000 Session, are reconciled and the duplicate statutes repealed. He stood before the Committee for questions.

Action on HB 2457

As there were none, Senator Salmans moved to pass the HB 2457 as is. Senator Praeger seconded the motion. The motion carried.

Adjournment

The meeting adjourned at 2:00 p.m.

The next meeting is scheduled for March 6, 2001.

GUEST LIST

DATE: Monday, March 5

NAME	REPRESENTING
Julie Hein	Hoen + LeDor
KEITH R LANDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
Mike Huffles	Ks. Gov't Consulting
Carolyn Muddendoy	Ks St Ds Area
Joyce Dolmest	Ks Assoc. Med. Undersewed
Susan Linn	Ks BOARD of Pharmacy
Mike Ohrt	Pinegar - Smith
Colleen Mull	Kathy Damon + Assoc
Rebecca Zepick	Sen. Barnett



Kansas Association
for the
Medically Underserved
The State Primary Care Association

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March 5, 2001

Chairman Susan Wagle, members of the Public Health and Welfare Committee.

Re: HB 2210 – concerning storing and distribution of prescription medications in medically indigent clinics and FQHC's.

My name is Joyce Volmut. I am the Executive Director of the Kansas Association for the Medically Underserved. KAMU is a private non-profit primary care association, whose primary purpose is to increase access for underserved individuals and families in Kansas. Today I am here in support of HB 2210. This is a bill that we have worked with the Pharmacy Board for the past few years. In this bill, we are asking that the words medically indigent clinics, as defined by the secretary of health and environment and FQHC's be added to the current Kansas statute concerning drug rooms in specific medical facilities, whereby a pharmacist in charge indirectly supervises storage of prescription drugs within the facility and delegates to a nurse, advanced practice nurse or physician assistant responsibility for distribution of prescribed medications when the pharmacist in charge is not physically present. This is the same law that oversees storage and distribution of prescribed medications in health departments.

We are requesting inclusion in this legislation for two reasons; it assures standards, allows nurses, nurse practitioners and physician assistants to distribute prescribed medication to patients who would otherwise not be able to start medical treatment if it were not initiated at the time of their clinic visit.

In addition to seeking support of the Board of Pharmacy and the Kansas Pharmacy Association, we have also visited with the Board of Healing Arts, the Kansas Medical Society, the Board of Nursing and the Kansas State Nurse Association about this legislation. We have heard no opposition.

Although all clinics have a medical director, in many clinics, the medical director is only there part time and current law does not allow delegation of distribution of prescribed medication to anyone. Most of the clinics also have a local pharmacist who serves as consultant or is a member of the Board. In fact, in a few smaller clinics, the pharmacist volunteers time during a portion of the normal clinic hours. This legislation will formalize the role of a pharmacist in charge and provide oversight on how medications are stored and distributed.

Clinics that will benefit most are those who do not have full time physicians, such as the Duchesne Clinic in Kansas City KS, St. Vincent's Clinic in Leavenworth, Health Ministries of Harvey County, in Newton, Health Care Access in Lawrence, Salina Cares, Guadalupe Clinic in Wichita. Also effected are some FQHC's (Federally Qualified Health Center), like the Mexican American Clinic in Garden City or United Methodist Health Clinics in Wichita, who employ full time physicians but have satellites that are primarily run by Nurse Practitioners or Physician Assistants. Our members urge passage of this legislation and thank you for your continued support for the medically underserved.

Kansas Health Centers - A Good Investment

Senate Public Health & Welfare Committee
Meeting Date March 5, 2001
Attachment 1-1



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www.nursingworld.org/snas/ks
the Voice of Nursing in Kansas

Emma Doherty, M.A.
President

Terri Roberts, J.D., R.N.
Executive Director
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March 5, 2001

H.B. 2210 DISTRIBUTION AND CONTROL OF DRUGS IN INDIGENT HEALTH CARE CLINICS AND FEDERALLY QUALIFIED HEALTH CENTERS

Written Testimony

Senator Wagle and members of the Senate Public Health & Welfare Committee the KANSAS STATE NURSES ASSOCIATION (KSNA) supports the changes proposed in H.B. 2210 which would authorize RN's, ARNP's and PA's in indigent clinics and federally qualified health clinics (FQHC's) to distribute prescribed medications to the clients they serve. This practice has been one that for many years local health departments have carried out to meet the needs of their patients, and this bill would only expand the provisions to permit the 30 Indigent clinics including the 5 FQHC's to also be permitted this authority. This statute governing drug rooms in specific medical facilities have a pharmacist in charge that indirectly supervise storage of the prescription drugs within the facility and delegates to a licensed nurse or ARNP the responsibility for distribution of prescriptive medications in the physical absence of the pharmacist in charge.

This proposed provision will foster access and decrease delays in beginning medications for these clients at the time they are seen.

Kansas is very fortunate to have a well developed system of 30 clinics providing health care services to the indigent and uninsured through our state. The health services provided to these families and individuals reduces the burden on hospital emergency rooms and provides much needed services to those unable to obtain them because of lack of the financial resources and/or insurance.

We ask for your support in passing this bill out favorably.

Thank You.

The mission of the Kansas State Nurses Association is to promote professional nursing, to provide a unified voice for nursing in Kansas and to advocate for the health and well-being of all people.

Constituent of The American Nurses Association

Senate Public Health & Welfare Committee
Meeting Date March 5, 2001
Attachment 2-1

Kansas State Board of Pharmacy

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SUSAN LINN
EXECUTIVE SECRETARY/DIRECTOR

STATE OF KANSAS



BILL GRAVES
GOVERNOR

March 5, 2001

Senator Susan Wagle, Chairperson
Committee Members
Public Health and Welfare

RE: HB 2210

The Kansas Board of Pharmacy supports the passage of HB 2210 that will license indigent health care clinics under K.S.A. 65-1648.

Currently, there is no legal oversight of drug distribution in indigent care clinics. HB 2210 would ensure accountability of the drugs dispensed by these clinics. Board of Pharmacy laws and regulations will require:

- A licensed pharmacist oversees the operation of the pharmacy
- A policy and procedure manual outlining responsibilities for all personnel administering medication
- Medication is properly labeled and administered by an ARNP or PA
- Adequate distribution and medication dispensing records.
- Drugs to be kept in a secure environment; i.e, they are kept in locked cabinets and/or rooms only accessed by a registered nurse or physician assistant.
- Medications are to be stored at the appropriate room/refrigerator temperatures

There would be no financial impact on the operation of the Board of Pharmacy.
Please call me at 296-4056 if you have any questions concerning this bill or other pharmacy issues.

Sincerely,
Susan A. Linn
Executive Secretary

*Senate Public Health/Welfare Committee
Meeting Date March 5, 2001
Attachment 3-1*