

Approved: 3-28-01
Date

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 6, 2001 in Room 231-N of the Capitol.

All members were present except:

Committee staff present: Ms. Emalene Correll, 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, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached guest list.

Approval of Minutes

Upon calling the meeting to order, the Minutes of January 25, 29, 30, February 7, 8, 12, 13, 14, 15, 19, 20, and 28 were placed before the Ccommittee. Chairperson Wagle asked tht the Committee call Ms. Cianciarulo with their comments and if none are received by the 1:30 p.m. committee meeting of March 13, 2001, the above Minutes would stand.

Hearing on HB 2497 - renaming the House Committee on Economic Development the Committee on New Economy

Chairperson Wagle then announced there would be a hearing on two bills and asked that Mr. Norman Furse, Revisor of Statutes, give an overview on both of the bills. Mr. Furse began with HB 2497. He stated the bill was introduced by the House Committee on Appropriations. The Standing Committee of the House of Economic Development has changed this year to "Standing Committee on New Economy". This change was shown throughout the 19 pages of the bill. Two technical internal references were made in lines 19 and 37 of those section references and have been repealed and the correct references inserted in lieu thereof. Mr. Furse stood before the Committee for questions.

Hearing on SB 336 - legislative committees composition and appointment.

As there were no questions on the above bill, Chairperson Wagle offered some background on the next bill to be heard. She stated there were lots of changes in joint committees and that the leadership in the Senate discussed these changes with the minority leader and with the leadership of the House to come up with SB 336. She then asked Mr. Furse to present an overview of the bill. Mr. Furse stated that SB 336 related to two things: 1) it makes the changes that the Senate made this year in its rules on its standing committee so it's similar in intent in that regard to HB 2497 and some changes to current joint committees, and 2) some sections would be repealed. Copies of these repealed sections are (Attachment #1) attached hereto and incorporated into the Minutes by reference. He stood before the Committee for questions.

Questions from Senators Haley, Steineger, Harrington, Wagle, and Praeger, and Ms. Correll was asked of Mr. Furse ranging from: will the Children's Committee be repealed, all of these being germane to each other, to how did this reach the Public Health & Welfare Committee?

Adjournment

With no more questions, Chairperson Wagle suggested that the Committee take some time to digest the information and they would discuss the bills again at a later date. The meeting adjourned at 2:25 p.m.

The next meeting is scheduled for March 7, 2001.

SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

GUEST LIST

DATE: Tuesday, March 6



NAME	REPRESENTING
Scott Brunner	DOB
Michelle Peterson	Peterson Public Affairs Group
Jean & Edwain Barnett	
Rebecca Zepick	Sen. Barnett

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32-874e

Chapter 32.--WILDLIFE, PARKS AND RECREATION Article 8.--DEPARTMENT OF WILDLIFE AND PARKS

32-874e. Same; joint report to legislature. The secretary of wildlife and parks and the secretary of commerce and housing shall present a joint report concerning negotiations, site selection, and status of the resort to the legislature, house committee on tourism, senate committee on transportation and tourism and to the governor during the 1999 legislative session.

History: L. 1998, ch. 92, § 9; Apr. 16.

Senate Public Health + Welfare Committee
Meeting Date March 6, 2001
Attachment 1-1

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46-2507

Chapter 46.--LEGISLATURE

Article 25.--HEALTH CARE REFORM LEGISLATIVE OVERSIGHT COMMITTEE

46-2507. Health care reform oversight committee; members, appointment; meetings; duties; subcommittees. (a) Health care reform for all Kansans is a matter of general public interest. It is a matter that should be addressed by those persons elected by the voters to make public policy. The prospect of federal legislation affecting state laws and regulations requires that the state have the legislative and administrative expertise to promptly make the necessary adjustments in both laws and regulations as required by federal law. Further, regardless of the federal proposal enacted, each such proposal relies ultimately on the state for implementation in the crucial areas of insurance reform, quality assurance, availability of service and administrative structure to implement the reform program. The legislature must be prepared to respond timely but deliberately to safeguard the public health and welfare of all Kansans.

(b) There is hereby created the health care reform legislative oversight committee, hereinafter "committee," to oversee the necessary changes in state laws and regulations made necessary by federal law and, to the fullest extent possible, implement health care reform specific to Kansas needs.

(1) The committee shall be composed of 12 members of the legislature appointed as follows: Three members of the house of representatives appointed by the speaker of the house of representatives; three members of the house of representatives appointed by the minority leader of the house of representatives; three members of the senate appointed by the president of the senate; and three members of the senate appointed by the minority leader of the senate. The president of the senate shall designate a senator member to be chairperson of the committee as provided in this section. The speaker of the house of representatives shall designate a representative member to be chairperson of the committee as provided in this section. The minority leader of the senate shall designate a senate member to be vice-chairperson of the committee as provided in this section. The minority leader of the house of representatives shall designate a representative member to be vice-chairperson of the committee as provided in this section. The secretary of health and environment, the secretary of social and rehabilitation services, the director of the budget and the commissioner of insurance shall be advisors to the committee.

(2) A quorum of the committee shall be seven. All actions of the committee may be taken by a majority of those present when there is a quorum. In even-numbered years the chairperson of the committee shall be the designated member of the senate from the convening of the regular session of that year until the convening of the regular session of the next ensuing year. In odd-numbered years, the chairperson of the committee shall be the designated member of the house of representatives from the convening of the regular session in that year until the convening of the regular session in the next ensuing year. In even-numbered years, the vice-chairperson of the committee shall be the designated member of the house of representatives from the convening of the regular session in that year until the convening of the regular session in the next ensuing year. In odd-numbered years, the vice-chairperson of the committee shall be the designated member of the senate from the convening of the regular session of that year until the convening of the regular session of the next ensuing year. The vice-chairperson shall exercise all of the powers of the chairperson in the absence of the chairperson.

(3) The committee shall be designated a standing joint committee of the legislature and shall have such powers and duties as hereinafter provided. Funding of operations of the committee shall be made from moneys appropriated to the legislature and expenditures of the committee shall be approved by the legislative coordinating council. Administrative support for the committee shall be provided by the division of legislative administrative services.

(4) The health care reform legislative oversight committee shall meet on call of the chairperson as authorized by the legislative coordinating council. All such meetings shall be held in Topeka unless authorized to be held in a different place by the legislative coordinating council. Members of the committee shall receive compensation and

travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212 and amendments thereto, when attending meetings of such committee authorized by the legislative coordinating council.

(c) The health care reform legislative oversight committee shall:

(1) Examine changes in federal laws affecting Kansas and propose such changes in Kansas laws and regulations as are necessary to meet the federal requirements.

(2) Cooperate and interact with agencies of the federal government responsible for health care reform.

(3) Consider all health care financing and delivery options now in effect taking into account the actions of other states and the federal government.

(4) Work cooperatively with all relevant state and federal agencies, health care providers, payors and consumer groups in the development of an integrated health plan for all Kansans.

(5) Receive, analyze and make recommendations related to the state health care data base developed by the health care data governing board.

(6) Develop plans for health care cost containment.

(7) Study and make recommendations for legislative action to integrate health care financing and coverage with other states.

(8) Recommend legislative actions necessary to assure accessibility of services to residents of underserved areas.

(9) Provide recommendations if federal or state laws require inclusion of the medical care component of workers compensation and automobile insurance into all inclusive health care coverage.

(10) Make recommendations on tort reform for medical liability and for state antitrust reform and federal antitrust modifications.

(d) The committee may appoint advisory subcommittees as it deems appropriate but shall at least name the following

(1) Administrative subcommittee. This subcommittee shall be composed of the secretary of health and environment, the secretary of social and rehabilitation services, the secretary of aging, the director of the budget and such other state or local governmental agency officials as are named by the committee.

(2) Insurance subcommittee. This subcommittee shall be composed of the commissioner of insurance, a representative of a domestic insurance carrier, a representative of a foreign insurance company, a representative of the managed care industry and such others as are named by the committee.

(3) Employer subcommittee. This subcommittee shall be composed of a representative of statewide business organization having large and small employer members, a representative of an organization having only small employer members, a representative of organized labor and such other members as are named by the committee.

(4) Provider subcommittee. This subcommittee shall be composed of a representative of a statewide physicians group, a statewide nursing group, a statewide hospital group and such other provider groups as are named by the committee.

(5) Consumer subcommittee. This subcommittee shall be composed of representatives of consumers of health care in this state as are named by the committee.

(e) All subcommittees shall meet and report at the direction of the committee, but in no event shall the subcommittees report less than quarterly. All meetings shall be subject to the Kansas open meetings act. Members of the advisory subcommittees shall not be paid compensation, subsistence allowances, mileage or other expenses as otherwise may be authorized by law for attending meetings of the advisory subcommittees.

(f) The committee may introduce legislation.

(g) All officers and employees of the state shall provide such information and assistance as may be deemed necessary by the committee. Staff assistance shall be provided by the office of the revisor of statutes, the legislative research department and such other legislative offices and employees as may be directed by the legislative coordinating council.

(h) The department of health and environment is hereby designated the contact agency for the state of Kansas with reference to federal health care reform measures. The department of health and environment shall not make any decision with reference to federal health care reform measures not otherwise authorized by the legislature or which would be inconsistent with existing law.

(i) The provisions of this section shall expire on July 1, 2001.

History: L. 1999, ch. 60, § 1; July 1.

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46-2701

Chapter 46.--LEGISLATURE Article 27.--SRS TRANSITION OVERSIGHT

46-2701. SRS transition oversight committee; membership; chairperson; meetings, compensation and allowances; duties and reports; committee abolished. (a) There is hereby created the SRS transition oversight committee. In accordance with this section, the SRS transition oversight committee in existence on the day immediately preceding the effective date of this act is hereby continued in existence. On and after July 1, 1999, the oversight committee shall consist of 12 members as follows:

- (1) Three members who shall be appointed by the chairperson of the house appropriations committee, from among the members of the house appropriations committee, of whom two are members of the majority party and one is a member of the minority party;
 - (2) three members who shall be appointed by the chairperson of the senate ways and means committee, from among the members of the senate ways and means committee, of whom two are members of the majority party and one is a member of the minority party;
 - (3) two members who shall be appointed by the speaker of the house of representatives from among the members of the house committee on health and human services, one of whom shall be a member of the majority party and one of whom shall be a member of the minority party;
 - (4) two members who shall be appointed by the president of the senate from among the members of the senate committee on public health and welfare, one of whom shall be a member of the majority party and one of whom shall be a member of the minority party; and
 - (5) two members appointed jointly by the speaker of the house of representatives and the president of the senate from among the members of the health care reform legislative oversight committee, one of whom shall be a member of the majority party and one of whom shall be a member of the minority party.
- (b) (1) The terms of office of all members of the SRS transition oversight committee serving on June 30, 1999, are hereby continued until June 30, 2001. The vice-chairperson of the SRS transition oversight committee on June 30, 1999, shall on July 1, 1999, become chairperson of such committee, and the chairperson of the SRS transition oversight committee on June 30, 1999, shall on July 1, 1999, become vice-chairperson of such committee. The chairperson and vice-chairperson of the SRS transition oversight committee serving in such offices on July 1, 1999, shall continue in such offices until June 30, 2000. The vice-chairperson of the SRS transition oversight committee on June 30, 2000, shall on July 1, 2000, become chairperson of such committee, and the chairperson of the SRS transition oversight committee on June 30, 2000, shall on July 1, 2000, become vice-chairperson of such committee. The chairperson and vice-chairperson of the SRS transition oversight committee serving in such offices on July 1, 2000, shall continue in such offices until June 30, 2001.
- (2) If a vacancy occurs in the office of any member of the SRS transition oversight committee, a successor shall be appointed in the same manner as the original appointment.
 - (c) The oversight committee shall meet on call of the chairperson. All such meetings shall be held in Topeka unless authorized to be held in a different place by the legislative coordinating council. Members of the oversight committee shall receive compensation and travel expenses and subsistence expenses or allowances as provided in K.S.A. 75-3212 and amendments thereto, when attending meetings of such committee.
 - (d) (1) The oversight committee shall monitor the long-term care programs that were transferred from the

secretary of social and rehabilitation services to the secretary of aging. The oversight committee shall ensure that the transfer of the long-term care programs does not lead to a loss of services by consumers.

(2) The oversight committee shall monitor, review and make recommendations relating to privatization efforts at the state hospitals, the closure of hospital beds, the downsizing of staff, the closure of Topeka state hospital and Winfield state hospital and training center, the funding of community services and the availability of adequate community services.

(3) The oversight committee shall monitor, review and make recommendations relating to (A) privatization of children service programs of the department of social and rehabilitation services including family preservation, foster care and adoption programs, (B) privatization of child support collection programs and any other programs of the department of social and rehabilitation services, and (C) privatization of any programs of the department on aging.

(4) The SRS transition oversight committee shall monitor, review and make recommendations relating to federal social welfare reform laws and the regulations and policies implementing such laws and the activities of the department of social and rehabilitation services relating to such federal laws, regulations and policies and the operation of the home and community based services programs.

(5) The oversight committee shall:

(A) Prepare an interim report on findings and recommendations which shall be provided to the legislature on or before the first day of the legislative session;

(B) prepare a final report on findings and recommendations which shall be provided to the legislature on or before the first day of the 2001 legislative session.

(e) The SRS transition oversight committee is hereby abolished on July 1, 2001.

History: L. 1996, ch. 271, § 19; L. 1999, ch. 118, § 3; July 1.

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46-3001

Chapter 46.--LEGISLATURE Article 30.--JOINT COMMITTEE ON CHILDREN'S ISSUES

46-3001. Joint committee on children's issues; members; appointment; qualifications; terms; meetings; compensation; powers and duties. (a) There is hereby created the joint committee on children's issues which shall be within the legislative branch of state government and which shall be composed of 10 members. Five members shall be members of the house of representatives and five members shall be members of the senate. Three of the members who are representatives shall be appointed by the speaker of the house of representatives, three members who are senators shall be appointed by the president of the senate, two members who are representatives shall be appointed by the minority leader of the house of representatives and two members who are senators shall be appointed by the minority leader of the senate. At least one member of the committee from the house of representatives shall be a member of the committee on insurance, one member shall be a member of the committee on health and human services and one member shall be a member of the committee on appropriations. At least one member of the committee from the senate shall be a member of the committee on financial institutions and insurance, one member shall be a member of the committee on public health and welfare and one member shall be a member of the committee on ways and means.

(b) All members of the joint committee on children's issues shall serve for terms of two years ending on the first day of the regular session of the legislature commencing in the first odd-numbered year after the year of appointment, except that the first members shall be appointed on the effective date of this act and shall serve for terms ending on the first day of the regular session of the legislature commencing in 1999. If a vacancy occurs in the office of any member of the joint committee on children's issues, a successor shall be appointed in the same manner as the original appointment for the remainder of the term. The chairperson shall be appointed for a term of one year which ends on the first day of the next occurring regular session of the legislature. The speaker of the house of representatives shall appoint the first chairperson on the effective date of this act and shall appoint the chairperson for the term commencing on the first day of the regular session of the legislature commencing in 1999 for a one-year term to end on the first day of the regular session of the legislature commencing in the year 2000. The president of the senate shall appoint the next chairperson on the first day of the regular session of the legislature commencing in the year 2000 for a one-year term which ends on the first day of the next occurring regular session of the legislature. Thereafter the appointment of the chairperson shall continue to alternate between the speaker of the house of representatives and the president of the senate with each subsequent chairperson being appointed for a one-year term ending on the first day of the regular session of the legislature in the next occurring regular session of the legislature after the year of appointment. If a vacancy occurs in the office of the chairperson, a member of the joint committee who is a member of the same house of the legislature as the member who vacated the office shall be appointed by the speaker of the house or president of the senate, depending on the house membership of the vacating member, to fill such vacancy.

(c) A quorum of the joint committee on children's issues shall be six. All actions of the joint committee shall be taken by a majority of all of the members of the joint committee.

(d) The joint committee on children's issues shall have the authority to meet at any time and at any place within the state on the call of the chairperson.

(e) The provisions of the acts contained in article 12 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, applicable to special committees shall apply to the joint committee on children's issues to the extent that the same do not conflict with the specific provisions of this act applicable to the joint committee.

(f) Members of the committee shall receive compensation, travel expenses and subsistence expenses as provided in K.S.A. 75-3212 and amendments thereto when attending meetings of the committee.

(g) The joint committee on children's issues shall have the services of the legislative research department, the office of revisor of statutes and other central legislative staff service agencies.

(h) The joint committee on children's issues shall oversee the implementation and operation of the children's health insurance plans created under the provisions of this act, including the assessment of the performance based contracting's measurable outcomes as set forth in subsection (b)(4) of K.S.A. 38-2001 and amendments thereto and other children's issues as the committee deems necessary.

History: L. 1998, ch. 125, § 8; Apr. 30.

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74-2623

Chapter 74.--STATE BOARDS, COMMISSIONS AND AUTHORITIES Article 26.--KANSAS WATER OFFICE AND KANSAS WATER AUTHORITY

74-2623. Study of certain matters by authority; report to legislature. (a) The Kansas water authority shall study and develop recommendations related to:

- (1) The appropriateness of the procedures and the time required for perfection of water rights and other provisions of and procedures under the Kansas water appropriation act;
- (2) siltation rates of public water supply impoundments and reservoirs and the impacts of such siltation on public water supply storage, flood control and recreational opportunities;
- (3) aquifer resources, recharge rates, availability of surface water resources and the long-term prospects related to any necessary transition to dryland farming in areas of the state to maintain sustainable yield and minimum streamflow levels;
- (4) water conservation plans and programs and means to improve the effectiveness of such plans and programs; and
- (5) the potential for competing water needs for at least the next 20 years and means of addressing the competition.

(b) On or before January 8, 2001, the Kansas water authority shall submit to the house standing committee on environment, the senate standing committee on energy and natural resources and the house and senate standing committees on agriculture a report of the authority's findings and recommendations regarding matters studied pursuant to this section.

History: L 1999, ch. 130, § 15; May 6.

Attachment 1-9

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74-9005

Chapter 74.--STATE BOARDS, COMMISSIONS AND AUTHORITIES Article 90.--COUNCIL ON TRAVEL AND TOURISM

74-9005. State tourism study; request for proposals; selection of consultant; funding. (a) The division of travel and tourism of the Kansas department of commerce and housing shall prepare, with review and input from the travel industry association of Kansas, a request for proposals for a consultant to do a large scale study of public and private tourism efforts in Kansas.

(b) A notice of the request for proposals shall be published once each week for two consecutive weeks in a newspaper having general circulation in the community at least 30 days before any action thereon. The request for proposals shall also be posted on readily accessible bulletin boards in all offices of the department of commerce and housing and sent elsewhere as the director of travel and tourism development deems best.

(c) The request for proposals shall provide performance specifications, terms, conditions and other information as deemed advisable to facilitate the submission of a comprehensive proposal, including, but not limited to, the fact that the study will:

- (1) Analyze the strengths, weaknesses, opportunities and threats that face development of Kansas tourism;
- (2) address the interrelationship between public and private sector efforts in developing Kansas tourism;
- (3) address the interrelationship between state and local interests in developing Kansas tourism;
- (4) make specific recommendations for the attraction, development and improvement of tourism in Kansas; and
- (5) be completed by January 1, 1998, with a report on the study's results and recommendations derived therefrom to be presented to the legislature, house committee on tourism, senate committee on transportation and tourism and to the governor during the 1998 legislative session.

(d) Once the requested proposals are submitted, it shall be the duty of the council on travel and tourism, established under K.S.A. 74-9001, and amendments thereto, to review the proposals and participate in the interviewing process and final selection of a consultant.

(e) Following negotiations and development of the proposed agreement, the council on travel and tourism shall approve the final contract.

(f) Once the consultant is selected and the contract approved under this section, the selected plan's implementation shall be subject to oversight, review and approval by the council on travel and tourism.

(g) For the purposes of this section, the funds required to pay for the study shall come from state funds taken from the economic development initiatives fund under K.S.A. 79-4804, and amendments thereto which are appropriated to the department of commerce and housing.

History: L. 1997, ch. 171, § 3; July 1.