

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES.

The meeting was called to order by Chairperson Garry Boston at 2:00 p.m. on March 26, 2002 in Room 210 Memorial Hall

All members were present except: Representative Tricia Lightner, Excused
Representative Jonathan Wells, Excused

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

Conferees appearing before the committee: Jerri A. Freed, Executive Director, Kansas
Dental Board

Others attending: See Attached Sheet

The Chairman called the meeting to order and said there were a lot of issues and would try to resolve them as quickly as possible. The Chairman stated the bills being worked were not blessed and it is the last day for bills to be moved out of committee if not blessed.

The Chairman said **SB 642 - University of Kansas hospital authority act amendments** was the same as **HB 2734** which had hearings earlier. The Senate made some changes to the bill and the Chairman recognized Bill Sneed and said the bill would be worked if that is the pleasure of the committee.

Bill Sneed, appearing on behalf of the University of Kansas hospital authority, stated there was a hearing on **HB 2734** and several issues came up in the course of that hearing, and time being short wanted to keep the process moving so introduced a bill in the Senate without the issues that caused concern. This bill passed the Senate 40 - 0. This bill reconstitutes the board going from 14 to 19 and expands the term from 3 to 4 years and puts a cap of 3 terms in lieu of the current 2. Provides clarification on the record retention act and clarifies KPERS. The tort claims act has been taken out of this bill.

Representative Morrison moved and Representative Showalter seconded to move **SB 642** out favorably. The motion carried.

The Chairman stated the committee earlier had a hearing on **SB 447 - Compensation of review committee members appointed by the state board of healing arts** and stated Larry Buening, Executive Director, Board of Healing Arts, was in the audience if there were any questions. There were no opponents or amendments at the hearing.

Representative Kirk asked if there was a fiscal note?

The fee fund was increased \$21,000.

Representative Long moved and Representative Showalter seconded to move **SB 447** out favorably. The motion carried.

The Chairman stated **SB 482 - Pharmacy act fees and civil fines** had a hearing on March 12. The fee for the testing has gone up by the firm from out-of-state that does the testing, and in addition, information has come in since we had the hearing that the pharmacists in Missouri could come over and pay the fee, take the test, which is much cheaper than in Missouri and go back to Missouri and reciprocity takes care of them to practice in Missouri. They have no intention of practicing in Kansas.

Representative Welshimer moved and Representative Long seconded to amend **SB 482** on page 1, line 25 to amend and change "administered" to "approved". The motion carried.

CONTINUATION

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES, Room 210, Memorial Hall at 2:00 p.m. on March 26

Representative Long moved and Representative Showalter seconded to move **SB 482** out as amended. The motion carried.

The Chairman opened the hearing on **SB 630 - Kansas dental board executive director.**

Jerri A. Freed, Executive Director, Kansas Dental Board, a proponent for **SB 630** testified that on page 7, lines 28 and 29 "Secretary Treasure" does not handle monies and should be referred to as "Secretary". On page 8, line 8 the board is proposing to update position to "Executive Director" (Attachment #1).

The Chairman closed the hearing on **SB 630.**

Representative Flaharty moved and Representative Long seconded to move **SB 630** out favorably. The motion carried.

The Chairman stated the rest of the meeting would be turned over to Vice Chairman Morrison, Chairman of the Sub-Committee on Credentialing, to make a committee report on **SB 610 - Naturopathic doctor licensure act.**

Vice Chairman Morrison said the members had received the committee report that represents the work product that the sub-committee did on **SB 610** and thanked Chairman Boston and the members of the sub-committee for working so hard and diligently on this. Truly appreciate all of your hard work. Recommend you read this report as would save time when hearings are held. Several amendments have been suggested as a result of working with proponents and opponents. There was not formal testimony; we did not have proponents and opponents per se. We tried to get to the issue of licensing of alternative medicine areas and in this case that was naturopaths. These amendments represent that particular group. This is not necessarily all of the amendments expected to be offered. It was important, because of time, that the sub-committee take action and bring this to the full committee or if there was another sub-committee hearing would just run out of time. So much work has been done on this project and bringing out these issues, it was felt the full committee should at least have the benefit of the work that has been done to look it over and it is our recommendation that the full committee have hearings so the proponents and opponents may appear in formal fashion. Strongly recommend that the full committee accepts this report and does in fact agree to put on the calendar and work this bill. It will save a good deal of time if everyone reads this report before the hearings so many of the questions you have might be answered in the report. It is my opinion, only speaking for myself, there is a universe of alternative care; reflexologists, herbalists, naturopaths, acupuncture, light and many other fields coming out. Some could potentially harm the public. There is going to be a need, if not now, to look at regulation of these organizations. The purpose is not to advise but would like to move board of alternative core of licensed people.

Chairman Boston said the bill that exists now, and what we will be working is the bill that is in our books. The sub-committee is making suggestions and recommendations. We will move to accept the report then have full hearings and work the bill by the entire committee. We will work one more time as a standing committee with testimony from the public. As we work this we will only go over the suggested amendments if there are questions.

Vice Chairman Morrison stated the recommendation is to have the full committee look at the report and can vote to accept report, but that does not mean they approve this legislation. Later the committee can work the bill and it would be appropriate for them to accept the full amendment and amend it in the usual process. That is only our suggestion.

Representative Welshimer stated a couple of things on the sub-committee balloon needed to be changed. On page 2, line 16, remove "manipulative therapy" and on page 7 remove paragraph (14) under section 11 in amendment.

The Chairman asked the committee's pleasure on accepting the sub-committee report?

Representative Showalter moved and Representative Welshimer seconded to accept the Sub-Committee on Credentialing Report. The motion carried.

CONTINUATION

The Chairman said this is the critical part, the next thing we are going to try to do, right now as of Saturday is drop dead day and if this bill is not blessed by the Speaker it is dead. We don't have time right now to notice up for public hearings. I have asked the Speaker 3 different times and will write a formal letter asking for the bill to be blessed and can not tell you what the answer to that is going to be. If it is not blessed it would die Friday. With the amount of work that has been put into it and the status of it right now I think we owe it to everybody to try very hard to try to get a product out and we have had this issue 3 different times over the past few years and this is the best product we have had and would like to go ahead and have public hearings but do not know what time the hearing would be. Would like to have the hearing for proponents and opponents no longer than 3 days. If it gets to the point where we had 50 or 60 people wanting to speak both in favor and in opposition, at that time would have to ask both to name their best 7 or 8 people to testify and restrict as much as possible as there just isn't enough time. We are on a fast track and first of all we have to see if the bill is blessed and suggest in the meantime that each of the committee members go through the report this weekend and familiarize yourself with the material because when we come back we will have the hearings and try to work as soon as possible. It was suggested that committee members ask the sub-committee members if they have any questions.

The meeting adjourned at 3:00 p.m.



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KANSAS DENTAL BOARD

Legislative Testimony – SB 630

Jerri A. Freed, Executive Director
March 26, 2002

Senate Bill 630 technically amends several dental board statutes. The amendments do not propose any changes in policy.

K.S.A. 2001 Supp. 74-1405 (page 7, lines 28 & 29 of the bill) requires the annual election of a President, Vice President and Secretary-Treasurer. The Secretary-Treasurer position on the board does not handle any monies and, therefore, should be referred to as Secretary. On page 8, line 8 of the bill the board is proposing to update my position title to Executive Director.

The remaining statutes deal with application for licensure in Kansas, renewal of licenses, and submitting other information to the board. As currently written, the applicant/licensee is directed to file or submit any materials or monies to the Secretary or Secretary-Treasurer. There has been on-going confusion, which has caused the Secretary of the board to receive reports, complaints, requests for information, and most recently, confidential test scores.

The Kansas Dental Board proposes these technical amendments to clarify the dental laws and make it easier for licensees and the public to understand. I respectfully request that you favorably consider Senate Bill 630.

Hs HHS
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