

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES .

The meeting was called to order by Chairperson Garry Boston at 1:30 p.m. on April 11, 2002 in Room 210, Memorial Hall.

All members were present:

Committee staff present: Dr. Bill Wolff, Kansas Legislative Research Department
Emalene Correll, Kansas Legislative Research Department
Norman Furse, Revisor of Statutes Office
Renea Jefferies, Revisor of Statutes Office
June Evans, Secretary

Others attending: See Attached Sheet

Continuation of discussion on **SB 610 - Licensure of Naturopaths**

The Chairperson stated the House would reconvene at 2:30 p.m. so there was a limited amount of time to work. We are going to continue on the balloon that we were working yesterday and recognize we are not going to solve everyone's problem.

Staff distributed an amendment that just clarifies language on the amendment that was distributed yesterday. This amendment takes out the terminology "naturopathy" and is replaced with "naturopathic medicine" throughout the bill.

Representative Flaharty asked if a vote on the amendment was appropriate.

The Chair said not at this time, this is a part of the original balloon and will be voted on with the original balloon. This just clarifies this is "naturopathic medicine" not "naturopaths".

The Chair said we could separate them and vote on as two different balloons if that would be easier.

Representative Morrison moved and Representative Showalter seconded to accept balloon that was distributed yesterday, April 10.

Representative Welshimer moved and Representative Storm seconded Substitute motion to put this amendment that clarifies "naturopathic medicine" not "naturopaths" on to the amendment that was worked on in Sub-Committee dated 3-25 along with the report.

Representative Patterson said while in Sub-Committee I made a point that the proposal that came out of the Sub-Committee and put into play does not have my support. The attitude is if it came out of Sub-Committee it had everyone's approval and this is not the message.

Representative Welshimer said that is true but this committee adopted the Sub-Committee's report onto **SB 610** so this is the working tool we have right now and this new amendment changes the whole picture of licensing and really doesn't license naturopathic doctors at all.

The Chairperson said he was going to ask the Vice-Chair to review exactly how that came out of the Sub-Committee.

The Vice-Chairperson said the report and amendment of 3-25-02 and this amendment today would clarify the terminology "naturopaths" with "naturopathic medicine". Representative Welshimer wants to marry the bill as it came out of Sub-Committee with this balloon distributed today.

The Chairperson called a Question on the Welshimer motion - Yeas 7 - Nays - 8. The motion failed.

CONTINUATION

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES, Room 210 Memorial Hall at 1:30 p.m. on April 11

The Chairperson stated we were back on the bill and asked what is your pleasure on working the balloon that was distributed yesterday (April 10)? We will vote on the two separately.

Representative Storm moved and Representative Morrison seconded to put the two together for discussion.

Representative Welshimer said the proponents for **SB 610** had one hour and we brought in a few people and could have brought in bus loads and the opponents had two days and much more time than the proponents. I was not allowed to testify as there was not time. We were told 7 doctors are all that is depending on this bill and that is not true. This bill has so much meaning for the state of Kansas. Two years ago an institute was formed and it was called Great Plains Comprehensive Agriculture and Medical Institute. Farmers are depending on this and many others. This will take Kansas right out of the running. This amendment makes doctors naturopaths.

Representative Lightner asked for staff to clarify the difference between "registered" and "licensure"

Staff said it was the language on page 6, lines 17 - 27.

Vice Chairperson Morrison said a registered naturopathic doctor under this bill could practice independently in all the aspects they wanted to except he or she could not administer intramuscular or intravenous drugs. The current naturopathic doctors who are practicing are doing so because of an established relationship with the Healing Arts Board and protects them. There are 2 doctors currently under immunity.

The term "collaborative relationship" meaning a formal affiliation between a naturopathic doctor registered under this act and a person licensed to practice medicine and surgery was questioned.

Staff stated to use terminology "pursuant to protocol" which means the two parties would enter into an agreement, either oral or written, and often end up with is the same thing as a standard order.

Representative Storm asked if there had been an adjustment of fees to indicate registration rather than licensure?

Representative Storm made a conceptual motion that fees be comparable to other registration fees.

The Chairperson said conceptionally staff can do anything.

The Chairperson said we were running out of time and if we were going to get anyplace would have to keep moving. My intent was to try to get something everyone could live with, not everyone will be happy with it, but it would be a whole lot further along if we could do this than if we don't do this because then it would be all or nothing at all. I thought we had a good opportunity to come up with something that was workable and give everybody an opportunity to be satisfied at least partially this year and move on to next year because this issue isn't going to stop. It is going to continue to come back in future years.

The Chairperson said we were getting to the point we were going to have to stop and can discuss the conceptional things later. Would like to end the discussion now on the balloon. We have had the motion to accept both balloons together and take a vote on that much so if we extend into the veto session we would know what our starting point is. The conceptions that we have talked about, if we have time, we can try to put those in as well.

The Chairperson called a question on adopting both amendments. Ayes - 9 Nays - 4. The motion carried.

CONTINUATION

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES, Room 210, Memorial Hall at 1:30 p.m. on April 11, 2002

Representative Storm moved and Representative Lightner seconded a conceptual motion to amend the fee schedule to be comparable of physician assistants. The motion carried.

Representative Showalter moved and Representative Morrison seconded a conceptual motion to change "collaboration" to "written protocol". The motion carried.

The Chairperson asked if anything needed to be added or a motion to move out.

Representative Long moved and Representative Lightner seconded that **SB 610** be moved out as amended.

Representative Welshimer said this bill eliminated competition and choice. I will be voting against the bill.

Representative Kirk said the opposition was simply that we asked this group to go through licensing/credentialing and they did that and now we are the ones that are saying no. KDHE said they had met the requirements for licensure, not registration, not anything lower, but licensure.

Representative Kirk moved and Representative Welshimer seconded a Substitute Motion to move out **SB 610** with the amendment and accept the Committee Report .

The Chairperson said we had already passed beyond that. What we have now is **SB 610** that was distributed on 4-10.

The Chairperson asked for a vote on Representative Kirk's amendment.

Ayes - 5 - Nays - 10. The motion failed.

Representative Lightner said she rose in support of **SB 610** being moved out favorably as registration was a positive step at this time.

Representative Palmer moved and Representative Welshimer seconded to change "registered" to "license" would make scope of practice clearer and protect the public. Protection of people needs to have scope.

Representative Morrison said there is not a scope of practice in registration, this is a definition of practice. The scope is not protected in this, if you go back to the other we would have to go back and put all of the exclusions and all of the other stuff back into it. It would make it very, very difficult on the Floor.

Chairperson Boston said we would have to adjourn as we are late to be back on the Floor now. Am really sorry we can't get to closure. We have spent a lot of time on this. I do appreciate all of the time the Sub-Committee spent on this. It will be revisited later.

The meeting adjourned at 2:30 p.m.

