

Approved: March 21, 2006

Date

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairman Jim Morrison at 1:30 P.M. on March 15, 2006, in Room 526-S of the Capitol.

All members were present except Representatives Watkins, Phelps, Bethell, and Landwehr, all of whom were excused.

Committee staff present:

Melissa Calderwood, Kansas Legislative Research Department
Mary Galligan, Kansas Legislative Research Department
Rena Jefferies, Revisor of Statutes' Office
Gary Deeter, Committee Secretary

Conferees appearing before the committee:

Phyllis Gilmore, Executive Director, Kansas Behavioral Sciences Regulatory Board
Sky Westerlund, Executive Director, Kansas Chapter, National Association of Social Workers

Others attending:

See attached list (not available on electronic copy).

The minutes for March 14, 2006, were approved.

The Chair opened the hearing on **SB 470**.

Phyllis Gilmore, Executive Director, Kansas Behavioral Sciences Regulatory Board, spoke as a proponent. (Attachment 1) She said the Board would continue to issue temporary licenses, but the length of the temporary license would be shortened and would not be renewed at that level of licensure; however, a person could continue to sit for the examination multiple times. She said the purpose of the bill was to eliminate some individuals from continuing to practice on a temporary license.

Sky Westerlund, Executive Director, Kansas Chapter, National Association of Social Workers, testified in support of the bill. (Attachment 2) She observed that the person who applies for a temporary license has already met all qualifications for licensure except taking the national exam. She said because the examinations are offered at various times across the state, it would be a rare instance where a temporary license would need to be renewed, noting that the public is best served by fully licensed professionals.

Answering a question, Ms. Gilmore said that, when a license becomes inactive, there is a reinstatement process which requires continuing education units within the previous 24 months.

A fiscal note was included for members. (Attachment 3)

The hearing was closed.

A motion was made and seconded to pass **SB 470** favorably and to place the bill on the Consent Calendar. The motion passed.

The Committee discussed **HB 2977**, which had a hearing on 3-13. Some members noted that the Department on Aging accomplished what the bill proposes without any legislation and wondered why other entities could not do the same. A member observed that those doing field inspections sometimes are inconsistent in interpreting the rules and regulations, commenting that the proposed statute would allow various groups to receive the same training, encouraging more consistency in inspections.

A motion was made and seconded to pass **HB 2977** favorably. The motion was amended to place it on the Consent Calendar. A member objected to passing the bill, causing the motion to be withdrawn. The Chair commented that even if the bill fails to make it through the entire legislative process, it might encourage more cooperation among groups affected by the 2000 Life Safety Code. A further motion was made and seconded to recommend the bill favorable for passage. The motion passed.

Representative Hill, as Chair of the sub-committee on **HB 2820**, announced there would be a hearing on the bill in Room 241-N at 2:15 p.m. following adjournment of the committee.

Melissa Calderwood provided a briefing on **SB 528**. She said the bill is identical to **HB 2876** and **HB 2877**, creating additional statistical reporting requirements for clinics that lawfully terminate pregnancies. The bill would require added reporting, giving detailed reasons for terminating a pregnancy past 22 weeks of gestation, the disability status of the pregnant female, and details regarding fetal anomalies. She noted that the Senate amended **SB 529** and **HB 2877** into the bill to add reporting on the referring physician and reporting when an attempted abortion results in a live birth. She noted that the fiscal note would add an estimated \$30,000 to the Kansas Department of Health and Environment's budget. (Attachment 4)

The meeting was adjourned at 2:04 p.m. The next committee meeting is scheduled for Thursday, March 16, 2006.

**HOUSE HEALTH AND HUMAN SERVICES COMMITTEE
GUEST LIST**

DATE: MARCH 15 2006

NAME	REPRESENTING
Josie Torres	SILCK
Max Madrik	R
Harrison Jones	SILCK
Adrianne [unclear]	SKIF
GREG CRAWFORD	KDHE
ASPB Kyle Helmer	BSRB
Chris Hickerson	
Kelsey Hayes	
Chris Garver	KU
Wesley [unclear]	KU
Debra Billingsley	KS Bd of Pharmacy
Martin McFarland	Ks Board of Pharmacy
Stacy Wintford	KNASW
Cheryl Hantack	

KATHLEEN SEBELIUS
Governor

PHYLLIS GILMORE
Executive Director



712 S. Kansas Ave.
Topeka, Kansas 66603-3817
(785) 296-3240
FAX (785) 296-3112
www.ksbsrb.org

BEHAVIORAL SCIENCES REGULATORY BOARD

HOUSE TESTIMONY
HEALTH AND HUMAN SERVICES
March 14, 2006

SB 470

Mr. Chairman and Committee Members:

Thank you for the opportunity to testify today in support of SB 470. I am Phyllis Gilmore the Executive Director of the Kansas Behavioral Sciences Regulatory Board (BSRB).

The BSRB is the licensing board for most of the state's mental health professionals, the doctoral level psychologists, the master level psychologists, the clinical psychotherapists, the bachelor, master and clinical level social workers, the master and clinical level professional counselors, and the master and clinical level marriage and family therapists. Additionally, some of the drug and alcohol counselors are registered with the board, although most of them are certified with SRS at the present time.

SB 470 amends the practice acts for our four master level professions to restrict the issuing of temporary licenses. These changes are being requested by unanimous vote of the board. Each profession considered what was best for itself and those ideas were presented to and voted on by the full board.

SB 470 would shorten the length of time an individual may hold a temporary license and it disallows renewal or reissuing of a temporary license except for extenuating circumstances.

We are correcting the current situation of individuals receiving a temporary license, not sitting for the examination and then renewing their temporary license, sometimes repeatedly. Under current law this is possible. Individuals also sit for the exam close to the end of the licensure cycle, fail the exam, and then renew their license. SB 470 would no longer allow individuals to practice indefinitely on a temporary license.

This does not limit the number of times an individual may take the exam, only how long one may hold the license and the number of times an individual may receive a temporary license.

Thank you for the opportunity to speak to you this afternoon. I will be happy to stand for questions.

Respectfully submitted,
Phyllis Gilmore

Attachment 1
HHS 3-15-06

Kansas Chapter, National Association of Social Workers

700 SW Jackson, Ste. 801

Topeka, Kansas 66603

785.354.4804

sky@knasw.com

March 14, 2006

Kansas House, Health and Human Services Committee

SB 470

Concerning the Behavioral Sciences Regulatory Board; relating to temporary licenses.

Good afternoon. My name is Sky Westerlund. I currently serve as the Executive Director for the Kansas Chapter, National Association of Social Workers (KNASW) board of directors. KNASW works on behalf of the practice and profession of social work in Kansas.

Social workers have been licensed to practice at three levels of expertise in Kansas since 1976. These are the baccalaureate (LBSW), the master (LMSW), and the clinical social worker (LSCSW). There are about 5500 social workers practicing and serving persons in Kansas. Social workers work in a wide variety of settings, such as community mental health centers, schools, juvenile justice system, private practice, military bases, hospitals, hospices, disaster events, community programs and more. Social workers perform a range of activity from casework to psychotherapy and specialize in a multitude of areas including everything from adoption to genetics to rehabilitation to family functioning, to substance abuse, to health crisis, mental illness, and other life circumstances.

Life can change in a second and social workers are there to help.

SB 470 is a multi disciplinary bill including all of the disciplines regulated by the Behavioral Sciences Regulatory Board (BSRB). A temporary license typically means that an individual has met the qualifications for licensure except passage of the examination. **SB 470 is designed to close the ability of persons to practice for a long time under a temporary license. KNASW supports this goal.**

Until several years ago, the three different national social work examinations were offered in the state only three times a year and in one location. A temporary social work license was necessary to secure a job and to be held accountable for professional conduct through the jurisdiction of the BSRB. Since the social work examinations are offered six days a week and at multiple locations throughout Kansas, it should be only the rare circumstance that a person must obtain a temporary social work license.

SB 470 gives a very generous window of six months time to hold the temporary license to practice social work before passing the national examination. We further acknowledge that there may be an even rarer situation of extenuating circumstances that preclude an individual from taking the examination within the already generous six month time frame. KNASW trusts that the BSRB would be cautious and deliberative in granting a board approved extenuating circumstance.

Social workers work with some of the most vulnerable and traumatized persons in our state. These clients and the public are best served when the social worker is fully licensed.

Thank you.

*Attachment 2
HHS 3-15-06*

February 9, 2006

The Honorable Jim Barnett, Chairperson
Senate Committee on Public Health and Welfare
Statehouse, Room 120-S
Topeka, Kansas 66612

Dear Senator Barnett:

SUBJECT: Fiscal Note for SB 470 by Senate Committee on Public Health and Welfare

In accordance with KSA 75-3715a, the following fiscal note concerning SB 470 is respectfully submitted to your committee.

SB 470 would amend current law regarding temporary licenses issued by the Behavioral Sciences Regulatory Board. Currently, a temporary license expires when final action on the application is completed or within two years. The bill would specify that a temporary license would expire upon the date the board issues or denies a license to practice, or six months after the date of issuance of the temporary license, unless there are extenuating circumstances approved by the Board. No temporary license would be renewed or issued again on any subsequent application for the same license. The bill would also prohibit persons to practice under a temporary license unless they are being supervised by a licensee of the Board. The Board would issue temporary licenses to persons who have submitted documentation and met all the qualifications for licensure as a professional counselor, social worker, or a marriage and family therapist. The bill would also allow any applicant for a temporary masters level psychologist license to be effective for two years so that applicants can acquire post-graduate hours.

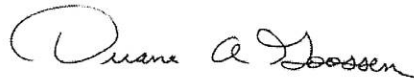
Attachment 3
HHS 3-15-06

The Honorable Jim Barnett, Chairperson
February 9, 2006
Page 2—470

Estimated State Fiscal Effect				
	FY 2006 SGF	FY 2006 All Funds	FY 2007 SGF	FY 2007 All Funds
Revenue	--	--	--	(\$3,000)
Expenditure	--	--	--	--
FTE Pos.	--	--	--	--

The Behavioral Sciences Regulatory Board indicates that the passage of SB 470 would reduce revenue to the Behavioral Sciences Fee Fund by \$3,000 as a result of approximately 60 people not seeking a temporary permit at a cost of \$50 per permit. Any fiscal effect resulting from the passage of this bill is not reflected in *The FY 2007 Governor's Budget Report*.

Sincerely,



Duane A. Goossen
Director of the Budget

cc: Marsha Schrempp, Behavioral Sciences

February 14, 2006

The Honorable Jim Barnett, Chairperson
Senate Committee on Public Health and Welfare
Statehouse, Room 120-S
Topeka, Kansas 66612

Dear Senator Barnett:

SUBJECT: Fiscal Note for SB 528 by Senate Committee on Public Health and Welfare

In accordance with KSA 75-3715a, the following fiscal note concerning SB 528 is respectfully submitted to your committee.

SB 528 would change the procedures medical facilities that perform abortions must follow when filing reports with the Department of Health and Environment. The reports would be submitted to the Department as they currently are, but the following new information would be included in the reports: detailed reasons for the late-term termination of a pregnancy; the disability status, if any, of any pregnant female; details regarding any specific fetal anomalies including, but not limited to, diagnoses of Down's syndrome; the total number of teenagers receiving abortions; and the state of residence for each of those teenagers.

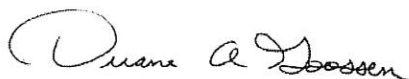
Estimated State Fiscal Effect				
	FY 2006 SGF	FY 2006 All Funds	FY 2007 SGF	FY 2007 All Funds
Revenue	--	--	--	--
Expenditure	--	--	--	\$30,000
FTE Pos.	--	--	--	--

Attachment 4
HAS 3-15-06

The Honorable Jim Barnett, Chairperson
February 14, 2006
Page 2—528

The Bureau of Vital Statistics of the Department of Health and Environment indicates that the bill would increase expenditures from the Civil Registration and Health Statistics Fee Fund by \$30,000 to change the web-based data entry forms and the Department's database system. Any increase in expenditures resulting from the passage of this bill would be in addition to amounts recommended in *The FY 2007 Governor's Budget Report*. The bill would also increase costs for medical facilities that perform abortions by requiring providers to test fetuses for anomalies. The fiscal effect for medical facilities is unknown.

Sincerely,



Duane A. Goossen
Director of the Budget

cc: Aaron Dunkel, KDHE