

Approved: March 31, 2010

Date

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairman Brenda Landwehr at 1:30 p.m. on March 17, 2010, in Room 784 of the Docking State Office Building.

All members were present except:

Representative Peggy Mast - excused
Representative Clark Shultz - excused

Committee staff present:

Norm Furse, Office of the Revisor of Statutes
Kathie Sparks, Kansas Legislative Research Department
Debbie Bartuccio, Committee Assistant

Conferees appearing before the Committee:

None

Others attending:

See attached list.

HB 2288 - Enacting the Kansas health care price transparency act

The committee proceeded to work **HB 2288**.

Chairperson Landwehr made a motion to adopt the Landwehr amendment into the bill and then work off of the Landwehr amendment as the bill. The motion was seconded by Representative Crum. The motion carried.

Representative Crum made a motion to add an amendment to the bill. Under Section 1(a), the very first line, that says "Upon receiving a written request", he proposed to amend it to read "Upon receiving an oral or written request". He also proposed to amend the word "consumer" in Section 1(a) to "patient". And in Section 2(a) to amend "Upon receiving a written request" to "Upon receiving an oral or written request". The motions were seconded by Representative Finney. The motion carried.

There was some discussion concerning who determines when to do an oral versus a written request and when is it best to do each option. There was also some discussion concerning possible increased workload and costs involved with providing the information. It was noted it will be good for the uninsured to be able to obtain cost information.

There was a question concerning whether any feedback had been received on the amendment. Chairperson Landwehr indicated the amendment was the best possible language that she could come up with as well as provide the information the patients wanted. There had been some companies that thought the information provided on their website was sufficient for consumers. She indicated she felt the need to provide the consumer more information and therefore believed the bill should be advanced forward.

Chairperson Landwehr made a motion to change the sentence in Section 2 that reads "The estimate must be provided not later than the 10th business day after the date on which the estimate was requested." to strike the word "requested" and change it to read "received by the insurer". The motion was seconded by Representative Neighbor. The motion carried.

It was determined and approved that the wording change stated in the above motion should be changed to "received by the health care provider or insurer". It was determined there were several other places this change would apply and Norm Furse, Office of the Revisor of Statutes, would make this technical change where needed.

Representative Crum made a motion to move the contents of HB 2288 into SB 249 as amended as a substitute bill. The motion was seconded by Representative Slattery. The motion carried.

Representative Crum made a motion to pass the house substitute bill SB 249 favorable for passage. The

CONTINUATION SHEET

Minutes of the House Health and Human Services Committee at 1:30 p.m. on March 17, 2010, in Room 784 of the Docking State Office Building.

motion was seconded by Representative Hermanson. The motion failed with 9 in favor and 10 opposed.

Representative Quigley requested consideration be given to the alternative of a subcommittee or interim study to provide additional information to clarify outstanding questions. Chairperson Landwehr indicated she had been instructed there would be fewer interim study options this year due to budget constraints.

Representative Ward made a motion to submit the transparency bill to those who determine interim studies for consideration as an interim study this summer. The motion was seconded by Representative Mah. The motion carried.

HB 2575 - H Sub for H 2575 by Committee on Health and Human Services - Naturopathic doctors licensure act

The committee proceeded to work **HB 2575**.

Representative Gordon made a motion to place the contents of HB 2575 into SB 83 as a substitute. The motion was seconded by Representative Slattery. The motion carried.

Representative Gordon moved to pass out substitute SB 83 favorable for passage. The motion was seconded by Representative Slattery. The motion carried.

HB 2590 - Medical gas installers

The committee proceeded to work **HB 2590**.

Representative Flaharty moved to approve the proposed amended language for HB 2590 (Attachment 1). The motion was seconded by Representative Hermanson. The motion carried.

Representative Slattery proposed some amended language and reviewed it with the committee. (Attachment 2)

Representative Hermanson made a motion to approve HB 2590 as amended for passage. The motion was seconded by Representative Slattery. The motion carried.

Representative Hermanson made a motion to place the contents of HB 2590 as amended into substitute SB 449. The motion was seconded by Representative Slattery. The motion carried.

The remainder of the meeting included an Informational Presentation coordinated by Representative Finney concerning a bill she introduced on medicinal marijuana. Chairperson Landwehr announced she had been called to testify at another hearing and Representative Crum had been called to a budget committee meeting. Representative Flaharty was in charge for the remainder of the meeting.

The next meeting is scheduled for March 18, 2010 for an informational presentation to the committee members.

The meeting was adjourned at 3:23 p.m.

HOUSE HEALTH & HUMAN SERVICES COMMITTEE

DATE: 3-17-19

NAME	REPRESENTING
Lisa Corwin	KSBHA
MARY JAMES	CITIZENS RIGHTS
BETTY Buckland	CITIZENS RIGHTS
Adam Turner	
DEBBY MOORE	HEMP INDUSTRIES OF KANSAS
cheryl riley	Kansas Medical Cannabis Network
Dan Dandy	Patients rights
DAVID MOLFORD	HB2610
Patrick Whisler	DRUG POLICY FORUM OF KANSAS
RANDY THIES	RETIRED
Chad Austin	KHA
Michelle Butler	Cap. Strategies
Michelle Casey	KS Ass. of Health Underwriters
Berend Koops	Hein Law Firm
Veronica Hope	self & others with Chronic Pain
Elicia Nichols	Self
Kayla Barton	Self
Michael Skelton	Self
Heather Lakin	Medical Marijuana Rights

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HOUSE HEALTH & HUMAN SERVICES COMMITTEE

DATE: March 17 2010

NAME	REPRESENTING
Susan Hughes	Medical Marijuana Rights
Shane Harper	Don page Jon's testimony
Amy Childs	Medical Marijuana Rights
Sean Tindall	citizens Rights
DANIELLE Tindall	Citizens Rights.
Randy Conyers	SELF
Jill Collins	Washburn University
Dianna Peden	'citizens' Rights
Edward Peden	citizens rights
Stephen Buckland	my living soul
NANCY BRESKE	human rights
Michelle Blasdel	Advocate
Mickey Ramsen	Kansas Medical Marijuana Reform
Billy RORR	CITIZEN
Tyler Feeney	citizen
Tracy Russell	KHCC
Don Smith	Medical Marijuana
Tracy Smith	Citizens Rights
Jason Ballan	citizen

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HOUSE HEALTH & HUMAN SERVICES COMMITTEE


DATE: 3-17-10

NAME	REPRESENTING
Rob Johnson	Federico Consulting
Ty Smith	KS Medical Cannabis Network
Eden Fuson	KS Medical Cannabis Network
Justin Garfield	KS Medical Cannabis Network
Anthony Buckland	Kansas Citizens
Will Stinson	Kansas Citizens
Rebecca Bidwell	Med Can Kan
Will Smith	The people
Corrie Davenport	The PEOPLE
Darin worlds	The People
DAN EVERS	"WE THE PEOPLE"
CHRIS HEPNER	KS. CITIZENS
Frank	VHG
Bruce Witt	Via Christ
Theresa Sells	KS Citizen

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HOUSE HEALTH & HUMAN SERVICES COMMITTEE

DATE: 3-17-10

NAME	REPRESENTING
PATRICK W. AYERS	AMERICAN STROKE FOUNDATION
Kathy Parker	American Stroke Foundation
Lynne Brown	Am. Stroke Found.
BOB JOHNSON	American Stroke Found.
Lewi Henry	Sandstone Group LLC
Heather Forster	NA
Marti Macchi	KDTZ
Jonah Harper	
Jeff B. Harby	KUTV
Maree Carpenter	KAHP
Joshua Harper	
Berend Koops	Hein Law Firm
Michael Butler	Capital Strategist
Thom Nelson	Self/Smiley
Daniel Paulsen	self
Patrick Vogelsberg	Kearney and Assoc.
	

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Debbie Bartuccio

From: Debbie Bartuccio
Sent: Wednesday, March 17, 2010 10:33 AM
To: Kathie Sparks; Melissa Calderwood; Norman Furse; Ken Wilke; Artur Bagyants; 'brendalandwehr@gmail.com'; Aaron Jack; Ann Mah; Bill Otto; 'Bill Otto'; Brenda Landwehr; Cindy Neighbor; 'Cindy Neighbor'; Clark Shultz; 'Clark Shultz'; David Crum; Dolores Furtado; Don Schroeder; Ed Trimmer; Gail Finney; Geraldine Flaharty; Jill Quigley; 'Jim Morrison'; Jim Morrison; Jim Ward; Lana Gordon; Marc Rhoades; Mike Slattery; Owen Donohoe; Peggy Mast; Phil Hermanson; Scott Schwab; 'Scott Schwab'; Valdenia Winn
Cc: Ann Deitcher; Betty Wells; Carol Bainum; Cheryl Coffman; Colleen Logan; Cyndie Rexer; Debbie Bartuccio; Gary Deeter; Georgette Lonsinger; Hazel Henderson; Jackie Zabokrtsky; Jan King; Judy Marks; Leota Golden; Marsa Behner; Maureen Stinson; Nancy Gilchrist; Patty Franklin; Shirley Akers; Sue Fowler
Subject: FW: Recut HB 2590 for House Health & Human Services Meeting on March 17, 2010
Attachments: HB 2590 Medical Gas Installer Recut.wpd; HB 2590 Medical Gas Installer Recut.pdf
Importance: High

Please see the attached for today's meeting. Thank you.

Debbie Bartuccio, Committee Assistant

REPRESENTATIVE BRENDA LANDWEHR
Health & Human Services Committee
State Capitol
300 SW 10th Ave., Suite 151-S
Topeka, KS 66612
785-296-7683

From: Norman Furse
Sent: Wednesday, March 17, 2010 10:28 AM
To: Debbie Bartuccio
Cc: Connie O'Brien
Subject: Recut HB 2590

Debbie, Attached is the recut version of HB 2590, medical gas installers, for distribution to the committee. Thanks.

Norm

HEALTH AND HUMAN SERVICES
DATE: 3-17-10
ATTACHMENT: 1-1

PROPOSED AMENDMENT TO HB 2590

[deleted material is in brackets with strike type, new material is in boldface in larger print]

HOUSE BILL NO. 2590

By Committee on Health and Human Services

AN ACT providing for certification of medical gas installers [~~in certain counties and cities~~]; defining terms; amending K.S.A. 2009 Supp. 12-1509 and repealing the existing section.

Be it enacted by the Legislature of the State of Kansas:

Section . K.S.A. 2009 Supp. 12-1509 is hereby amended to read as follows: 12-1509. (a) Any county or city requiring the licensure of plumbers practicing within the county or city may conduct examinations designated by K.S.A. 12-1508, and amendments thereto, for the purpose of determining the competency of applicants for such licensure and shall not be allowed to ask further questions not designated on such examination. The board of county commissioners of such county or the governing body of such city shall adopt rules and regulations: (1) Governing the conduct and grading of such examinations; (2) prescribing a minimum score of 75% for passage of examinations; (3) fixing a uniform fee to be charged all applicants taking each such examination; and (4) requiring all persons receiving such license annually to obtain not less than 12 hours biennially or six hours annually of continuing education approved by such local governing body. Not less than six hours biennially or three hours annually shall consist of code education. Continuing education may be provided by the local governing body, a nationally recognized trade association, community college, technical school, technical college or other provider approved by the local governing body. All hours of education shall consist of training relative to construction, maintenance and code update training. Neither the county commission nor the governing body of such city shall impose any restriction on the number of providers of such continuing education.

(b) The certificate of competency received by any person who successfully passes an examination designated by K.S.A. 12-1508, and amendments thereto, shall be valid proof of competency for licensure, without additional examination, in any county or city of the state which requires licensure of plumbers practicing within such county or city. The county or city shall issue the appropriate license to any applicant therefor who presents such a certificate of competency. The county or city shall fix a uniform fee to be charged all such applicants for licensure.

(c) All new licenses issued by a county or city upon the basis of successful passage of an examination designated by K.S.A. 12-1508, and amendments thereto, shall bear a distinctive notation identifying the testing agency and the specific test by name. All such licenses renewed upon the basis of completed continuing education as provided by subsection (a) shall bear a distinctive notation to verify such completion. All such licenses shall be valid in any other county or city which requires examination and licensure of plumbers for practice in such county or city.

(d) No person who was certified or licensed prior to July 1, 1989, upon the basis of passage of a standard examination designated as such under the provisions of article 15 of chapter 12 of Kansas Statutes Annotated, and whose certificate or license was issued by a political subdivision which prescribed a minimum score of not less than 70% for passage of such examination, shall be required to be reexamined for renewal of certification or licensure.

(e) Before sitting for the standard examination designated by K.S.A. 12-1508, and amendments thereto, an applicant for a journeyman certificate shall demonstrate documented proof of a minimum of two years field experience. "Field experience" means working under the direct supervision of a person having a valid journeyman certificate or master certificate or attending trade related schooling. No more than one year of the requirement may be satisfied by trade related schooling. Schooling shall consist of a minimum of 240 hours classroom training.

(f) Before sitting for the standard examination designated by K.S.A. 12-1508, and amendments thereto, an applicant for a master certificate shall demonstrate documented proof of having a valid journeyman certificate for a minimum of two years or having field experience for a minimum of four years.

~~(g) (1) On and after January 1, 2011, no person shall install, improve, repair, maintain or inspect a medical gas piping system within a county or city [which requires the licensure of plumbers practicing within the county or city] unless such person: (A) Is licensed [as a master plumber or journeyman plumber] under the provisions of 12-1508 et seq., and amendments thereto; and (B) is certified [by the county or city as a medical gas installer based on qualifications and requirements adopted by the county or city in accordance with this subsection (g)]. The qualifications adopted by the county or city for certification as a medical gas installer shall include, but not be limited to, the qualifications for certification by the American medical gas institute (AMGI) or an equivalent authority as determined by the county or city, with a minimum of 32 hours of training with eight of such hours in brazing. In establishing qualifications and requirements for certification as a medical gas installer, a county or city may set fees for training, certification, certificate renewal and any other necessary fees in an amount sufficient to pay the cost to the county or city of the administration of the certification of the medical gas installer program under this subsection (g); may require reasonable continuing education or additional training, or both, for certified medical gas installers; and may take such other actions as necessary to implement the certification of the medical gas~~

~~installer program under this subsection (g)]~~ under the appropriate professional qualifications standard or standards of ASSE Series 6000. All installers shall obtain a proper permit from the county or city for which the medical gas is being installed, all inspections shall be done by a third party agency certified under the appropriate professional qualifications standard or standards of ASSE Series 6000 for medical gas systems inspectors and all documentation of the inspections and certifications of installers and inspectors shall be provided to the county or city prior to any occupancy of the building or unit of the building in which the medical gas piping has been installed until an occupancy permit is issued.

(2) ~~As used in this subsection (g)[:],~~

~~[(A) "Certified medical gas installer" means a person who is certified by the county or city as successfully meeting the qualifications and requirements established for certification as a medical gas installer by the county or city; and~~

~~—(B)] "medical gas piping" means the piping used solely to transport gasses used for medical purposes at a health care facility or the place of business of a health care provider.~~

Sec. 2. K.S.A. 2009 Supp. 12-1509 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication

in the statute book.

HB 2590 Proposed Amendment

(g) (1) On and after January 1, 2011, no person shall install, improve, repair, maintain or inspect a medical gas piping system within a county or city which requires the licensure of plumbers practicing within the county or city unless such person: (A) Is licensed as a master plumber or journeyman plumber under the provisions of 12-1508 et seq., and amendments thereto; and (B) is certified by the county or city as a medical gas installer based on qualifications and requirements adopted by the county or city in accordance with this subsection (g). The qualifications adopted by the county or city for certification as a medical gas installer shall include, but not be limited to, the qualifications for certification by the American medical gas institute (AMGI) or an equivalent authority as determined by the county or city, with a minimum of 32 hours of training with eight of such hours in brazing. In establishing qualifications and requirements for certification as a medical gas installer, a county or city may set fees for training, certification, certificate renewal and any other necessary fees in an amount sufficient to pay the cost to the county or city of the administration of the certification of the medical gas installer program under this subsection (g); may require reasonable continuing education or additional training, or both, for certified medical gas installers; and may take such other actions as necessary to implement the certification of the medical gas installer program under this subsection (g). ASSE 6000. All installers shall obtain a proper permit from the county or city for which the medical gas is being installed, all inspections shall be done by a third party agency under ASSE 6000 and all documentation of the inspections and certifications of installers shall be provided to the city or county prior to any occupancy of the building until an occupancy permit is issued.

Adding this to the end:

This section shall not apply in counties or cities in which building codes require inspection of medical gas installation prior to an occupancy permit being issued.