

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman Jim Barnett at 1:30 p.m. on March 17, 2010, in Room 546-S of the Capitol.

All members were present.

Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes
Renae Jefferies, Office of the Revisor of Statutes
Iraida Orr, Kansas Legislative Research Department
Melissa Calderwood, Kansas Legislative Research Department
Amanda Nguyen, Kansas Legislative Research Department
Jan Lunn, Committee Assistant

HB 2275 - Establishing a program for drug screening for cash assistance recipients

Chairperson Barnett indicated **HB 2275** was previously heard and due to time constraints was truncated; Senator Barnett welcomed Representative Kasha Kelly to provide any additional comments.

Representative Kelly briefly summarized the salient points contained in the bill. She addressed fiscal notes from other states that have implemented random drug testing for recipients of state assistance and indicated that in her opinion, eventual benefits would be realized.

Considerable discussion and questions focused on drug testing, which appears to be punitive, for a population in the greatest need; the potential expense of such a program was discussed; the definition of "cash assistance" was reviewed; and several amendments were offered.

Nobuko Folmsbee distributed a balloon amendment in which language was added that included drug testing for the use of a prescription-only drug without a proper prescription, the agency accountable for funding the program, and the renumbering of dates. In addition, Senator Schmidt distributed a proposed amendment that would add a drug testing program for the governor, lieutenant governor, attorney general, members of the Kansas Senate or House of Representatives, and the creation of an impaired legislator/public official committee which monitors the rehabilitative nature of impaired individuals. Treatment for impaired public officials will be borne by the individual and not the State. Senator Kelly suggested to add the state treasurer and insurance commissioner into the list of public officials. Senator Colyer inquired if the section addressing prescription drugs was intended to include prescription drugs of a narcotic nature or all prescription drugs. Senator Schmidt indicated the definition of prescription drugs could be refined. Senator Pilcher-Cook added there were several technical amendments required on page 1, line 26 and 31.

Melissa Calderwood, Legislative Research Department, distributed a revised fiscal note and indicated SRS had two officials present, who might be able to provide additional insight relative to the projected costs. Senator Schmidt questioned whether the revised fiscal note included staff time related to drug testing. Candy Shively from SRS, indicated there were no additional costs for staff included in the revised fiscal note. She explained the increased cost from the original fiscal note was due to the addition of testing for prescription drugs (without a proper prescription) requires a more in-depth verification. Therefore, costs for drug testing increased from \$9.30 to \$30.00 per test. She indicated costs could be more variant in rural areas.

Senator Kelly moved to table HB 2275. She stated her reasons were due to inadequate state funding for this program; currently, the State is not providing general assistance to the public; and drug testing already exists for the TAF program. In her opinion, the potential benefits do not outweigh the proposed costs. Senator Brungardt seconded the motion which passed.

For purposes of the record, the following Senators requested their "no" votes be documented: Senator Barnett, Senator Colyer, Senator Pilcher-Cook, Senator Haley.

CONTINUATION SHEET

Minutes of the Senate Public Health and Welfare Committee at 1:30 p.m. on March 17, 2010, in Room 546-S of the Capitol.

HB 2448 - Pharmacists, administration of vaccine

Senator Barnett indicated this bill was previously heard on March 8, 2010, and it was scheduled for possible final action.

Upon a motion by Senator Schmidt and a second by Senator Kelly to favorably move out **HB 2448**, the motion carried.

Senator Barnett adjourned the meeting at 2:21 p.m.