

SESSION OF 2006

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2752**

As Agreed to March 28, 2006

Brief*

HB 2752 would amend existing laws that establish the statewide Trauma Program and Registry. Specifically, the bill would expand the rule and regulation authority of the Secretary of the Department of Health and Environment to include fixing, charging, and collecting fees from trauma facilities to recover all or part of the expenses incurred in the designation of such facilities. The bill also would add to the responsibilities of the Secretary the designation of trauma facilities by level of trauma care capabilities. Such designation would be made after considering the standards of the American College of Surgeons Committee on Trauma and other states' standards, except that no designations could be based on criteria that place practice limitations on registered nurse anesthetists that are not required by the state.

The bill also would amend KSA 2005 Supp. 75-5666 to remove the requirement that the Secretary consult with the Health Care Data Governing Board in the development and maintenance of the state Trauma Registry and in regard to information reported to the registry. Finally, the bill would amend the statute to allow for disclosure of information obtained by the Registry if necessary to protect the public health and to support quality improvement as defined in current hospital peer review statutes.

The bill also would enact new law to require all Kansas colleges and universities to have policies and procedures in place that would require all incoming students who reside in student housing be vaccinated for meningitis. The policies also would include waiver procedures for those who refuse to take the vaccine. Nothing in the bill would require or would be construed to require any college or university to provide for or pay for any vaccination against meningitis. The requirements of the act would commence with the first academic term starting after July 1, 2007.

*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. The conference committee summary report may be accessed on the Internet at <http://www.kslegislature.org>

Conference Committee Action

The Conference Committee agreed to the Senate amendments to HB 2752 and agreed to further amend the bill to include the contents of Sub. for HB 2396, as recommended by the House Committee on Health and Human Services, relating to vaccinations for meningitis for residential students at Kansas colleges and universities.

Background - HB 2752

The bill was introduced by the House Committee on Health and Human Services at the request of Representative Bethell. A representative of the Kansas Department of Health and Environment spoke in support of the bill at the Committee hearing, indicating that the establishment of additional trauma centers throughout the state will increase the number of Kansans with access to trauma expertise. The conferee also noted that the other amendments that protect data under the peer review system would allow for the use of system data for quality management and performance improvement. Other proponents included the Chairman of the Advisory Committee on Trauma, the Kansas Hospital Association, the Kansas State Nurses Association, and the Kansas Board of Emergency Medical Services. There were no opponents to the bill.

The Senate Committee amendments change the language relating to setting fees to reflect more precise guidelines for the adoption of rules and regulations. The amendment relating to the designation of trauma facilities by level of trauma care capability was requested by the nurse anesthetists.

The fiscal note prepared by the Division of the Budget indicates that passage of the original bill would result in expenditures of \$85,000 from the Kansas Department of Health and Environment's Trauma Fund. The primary expense related to hospital designation would be the on-site survey team review process. The Advisory Committee on Trauma recommends that the Department use survey teams from out of state to avoid conflict of interest. The Department estimates that ten surveys could be completed in FY 2007 at an average cost of \$8,500 per survey. Any fiscal effect resulting from the passage of this bill would be in addition to the amounts recommended in *The FY 2007 Governor's Budget Report*.

Background - Sub. for HB 2396

The House Committee on Health and Human Services recommended introduction of the at the request of the Kansas Department of Health and Environment in collaboration with the Kansas Board of Regents, the Kansas Independent College Association, Washburn University, and the Kansas Association of Community College Trustees. Testimony at the House Committee hearing indicated that the Board of Regents had approved a policy requiring the six state universities to establish policies and procedures requiring vaccination for meningitis or an opt out through a waiver. This policy will become effective beginning with the Fall 2006 academic semester.

The original bill was introduced by the House Committee on Appropriations. The bill would have established procedures for state universities to provide to students residing in on-campus housing detailed information on the health risks associated with meningococcal disease and would required evidence of meningococcal vaccinations or submission of an affidavit that the student had received the health information. The universities would have been required to maintain records of the vaccination status of each student residing in such housing. The bill would not have required universities to provide or pay for vaccinations.

The fiscal note prepared by the Division of the Budget on the introduced version of the bill would not be applicable to the substitute bill. The substitute bill does not specify a record keeping requirement for colleges or universities.