

Approved: _____
Date

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES.

The meeting was called to order by Chairperson Garry Boston at 1:30 p.m. on January 29 in Room 210 Memorial Hall

All members were present except:

Committee staff present: Dr. Bill Wolff, Kansas Legislative Research Department
Norman Furse, Revisor of Statute's Office
June Evans, Secretary

Conferees appearing before the committee: David Monical, Executive Director, Governmental Affairs, Washburn University
Chris Ross-Dace, Child Care Licensing and Regulation, KDHE
Dixie Link, Executive Director of Topeka Day Care
Cindy Galemore, President, Kansas School Nurse Organization, Inc.
Arnold Z. Balanoff, M.D., Kansas Immunization Action Coalition
Sherry Smith, Leon, Kansas

Others attending: See Attached Sheet

The Chairperson opened the meeting for bill introductions:

Representative Joann Freeborn requested introduction of a bill similar to one that was in this committee last year regarding physically disabled persons using guide dogs and assistance dogs.

Ron Gaches, requested introduction of three bills for the Dental Hygienists Association: (a) Reintroduction of a bill passed by the House in 1999 Dental Hygienists Loan Scholarship Program intended to help put registered dental hygienists in underserved areas of the state (b) Access to care proposal which would allow dental hygienists greater direct access to serve the indigent children and elderly in the state of Kansas with intent to reach more with medicaid and other underserved constituents across the state (c) Kansas Dental Board Rebalancing Commission, the number of dentists practicing in the state has declined in recent years even as the number of dental hygienists has continued to increase. There are now roughly the same number of dental hygienists as dentists practicing in the state while the makeup of the Kansas Dental Board remains 6 dentists, 2 dental hygienists and 1 public member. A balancing of the board is recommended with 4 dental members, 4 registered dental hygienists and an increase in the public members.

Norman Furse, Revisor of Statutes, requested introduction of a bill that would take some steps that have references in K.S.A.74-3201b and change the update references. Some of these were changed and updated last year but did not catch all of them and these need to be added.

The Chairperson stated the 5 bills were introduced without objection.

The Chairperson opened the hearing on: **HB 2015 - Concerning post-secondary educational institutions; exempting certain programs from licensure as child care facilities.**

Dr. Bill Wolff gave a briefing on **HB 2015** stating that **SB 50** was having hearings in the Senate on Feb 1 and would add Washburn University under "municipal university".

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES, Room 210, Memorial Hall at 1:30 p.m. on January 29.

David G. Monical, Executive Director of Governmental & University Relations, Washburn University, testified in support of **HB 2015**, as this bill would exempt post-secondary educational institutions from the necessity of having a day care license or temporary permit from the Secretary of Health and Environment in order to operate various academic, athletic and recreational camps on our campuses. One amendment is required, i.e, in Sec. 3, the effective date should be changed to publication in the Kansas Register rather than statute (Attachment 1).

Christine Ross-Baze, Director, Child Care Licensing and Registration Section, Bureau of Consumer Health, KDHE, testified opposing **HB 2015**, stating it would exempt educational or recreational programs for children, from child care licensure and inspection by the Department when the program is conducted, maintained or operated by a post-secondary educational institution.

The Department is charged with safeguarding the health and safety of children who are being cared for away from their parents or guardians. The Department licenses and inspects programs serving infants, toddlers, preschoolers and school age children in a variety of settings. These licensed child care programs provide educational and recreational programs for children. Parents enrolling children in programs operated by a public or private institution or by a community group have an expectation that their children are kept safe and healthy.

The language in this bill would exempt all child care programs operated by a post-secondary educational institution from the health and safety protections afforded through the Child Care Licensing and Registration Program and would remove regulatory safeguards from the 28 currently licensed child care programs operated by post-secondary educational institutions.

The state has a responsibility to ensure that child care programs operate in a way that protects the health, safety and well-being of children attending the programs. Educational and recreational programs for children should be subject to standards and consumer protection regulation regardless of the setting in which the services are offered (Attachment 2).

Dixie A. Link, Executive Director of Topeka Day Care, Inc. and serves as a member of the Board of Directors for Kansas Association for the Education of Young Children, testified opposing **HB 2015** as it lowers the quality of child care and puts young children at risk. The child care programs of post secondary educational institutions are usually training sites for early care and education providers. Early child care educators have their powerful, first experiences in the child care centers of post secondary institutions. These institutions must be held to the highest quality standards, for they will ultimately impact all child care in Kansas through their teacher preparation and training programs (Attachment 3).

Robert N. Kelly, Executive Director, Kansas Independent College Association, provided written testimony supporting **HB 2015** with an amendment, stating the majority of our campuses conduct the educational or recreational programs alluded to in **HB 2015** as they hold sports, math, science, music, art, theater, etc. summer camps where the participants are housed in dormitories and many are under 16 (Attachment 4).

The Chairperson closed the hearing on **HB 2015**.

The Chairperson opened the hearing on **HB 2041- Concerning proof of inoculations; requiring hepatitis B** and stated due to time restraints testimony would need to be paraphrased.

Dr. Wolff gave a briefing on **HB 2041**.

A fiscal note which estimates that passage of **HB 2041** would require additional expenditures of \$1,055,371 from the State General Fund for the first year of implementation in FY 2002 was distributed. A different interpretation could be made of the bill. This interpretation assumes that only one-third of the estimated inoculations of middle school students would be required in FY 2002. Based on the Department's data, the Division of the Budget estimates that a total of \$413,873 would be required in FY 2002 and subsequent years for the statutorily required inoculations. This estimate includes \$93,123 for kindergarten inoculations and

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES, Room 210, Memorial Hall at 1:30 p.m. on January 29.

\$320,750 for middle school inoculations. Any fiscal effect resulting from passage would be in addition to amounts included in the FY 2002 Governor's Budget Report.

Cindy Galemore, R.N., President Kansas School Nurse Organization, Inc., testified in support of **HB 2140**, stating 40 states required hepatitis B for school entry as of August 2000. Kansas remains one of the very few states without the hepatitis B requirements. Introduction and passage of this bill requires that we carefully consider the following: (a) what is hepatitis B, (b) how is the disease spread, (c) what are the current recommendations for vaccination, (d) is vaccination safe, (e) is vaccine available to the public at a reduced fee/free, (f) what are the expected cost savings of vaccination and (g) if mandated, what should be the starting point? (Attachment 5).

Sherry Smith, Leon, testified as an opponent to **HB 2140** as Hepatitis B is a lifestyle choice disease, occurring mostly in IV drug users and sexually promiscuous individuals. 95% of the U.S. citizens will never acquire hepatitis B in their lifetimes. Vaccines are far from safe. Vaccines are "stabilized" with aluminum and mercury, don't know why that is but know that is the reason given for having those components in the vaccine (Attachment 6).

Arnold Z. Balanoff, M.D., FAAP, Kansas Immunization Action Coalition, a proponent for **HB 2140** stated he was in agreement with Ms. Galemore's testimony. Hepatitis is called the "silent killer" because a person can be infected and not know until many years later when they are diagnosed with cirrhosis or liver cancer. Up to 300,000 people in the U.S. are infected with the hepatitis B virus each year. The number of individuals infected with the hepatitis B virus is 20 times greater than the number of people infected with HIV.

The hepatitis B virus is blood-borne and can be spread through sexual activity, from an infected mother to her child at birth, through occupational exposure to infected blood, or even by sharing a toothbrush with an infected person. More than 30% of people with chronic hepatitis B have no known risk factors and do not know when or how they were exposed to the virus. The virus can live on a surface up to 30 days. Children can be infected through playground cuts and scrapes.

CDC has established a national goal to reduce the prevalence of hepatitis B disease. The goal calls for all states to institute a hepatitis B school entry requirement by the year 2001.

Preventing hepatitis B infection is far less costly to the patient, family, and to society than managing patients with chronic liver failure or liver cancer. Data can be provided upon request.

The primary series of three doses appears to provide lifetime immunity and is significantly less costly to administer to children than to adults due to the lower dose requirements for children (Attachment 7).

Written testimony: Jean Higbie School Nurse U.S.D. #512 (Attachment 8).

The Chairperson suspended the hearing until January 30.

The meeting ended at 3:15 p.m. and the next meeting will be January 30.