

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 February 11, 2009, in Room 784 of the Docking State Office Building.

Committee members: All were present except for Representatives Gordon and Schwab whom were excused.

Committee staff present:

Norm Furse, Office of the Revisor of Statutes
Melissa Calderwood, Kansas Legislative Research Department
Reed Holwegner, Kansas Legislative Research Department
Janet Grace, Committee Assistant

Conferees appearing before the Committee:

Rachelle Colombo, Kansas Chamber of Commerce ([Attachment 1](#))
Ashley Sherard, Lenexa Chamber of Commerce ([Attachment 2](#))
Scott Day, Day Insurance Solutions ([Attachment 3](#))
Natalie Bright, Bright and Carpenter Consulting ([Attachment 4](#))
David Powell, David J. Powell & Associates ([Attachment 5](#))
Daniel Murray, State Director, National Federation of Independent Business - Kansas ([Attachment 6](#))
Marlee Carpenter, Kansas Association of Health Plans ([Attachment 7](#))
Anne Spiess, American Cancer Society ([Attachment 8](#))

Others attending:

See attached list.

Chairman Landwehr called the meeting to order. She requested Norm Furse to provide the committee and attendees with a brief overview of **HB 2289**. Norm answered committee questions pertaining to details that would or would not be included in the bill.

HB 2289 - Insurance; mandate lite health benefit plans, specially designed policies.

Rachelle Colombo, Kansas Chamber of Commerce provided written only testimony as a proponent of **HB 2289** ([Attachment 1](#)).

Ashley Sherard, Lenexa Chamber of Commerce, provided written only testimony as a proponent of **HB 2289** ([Attachment 2](#)).

Marlee Carpenter, Kansas Association of Health Plans, provided written only testimony as a proponent of **HB 2289** ([Attachment 6](#)).

Scott Day, Day Insurance Solutions, provided testimony in favor of **HB 2289** ([Attachment 3](#)). Government is probably the single largest cause of high health insurance premiums in the United States today. The underpayment of federal/state programs like Medicaid/Medicare to providers is “cost shifted” to private insurance carriers. The expansion of federal/state programs like Medicaid, SCHIP/Healthwave, and Premium Assistance “crowds out” the private insurance market. State Governments are fond of adding required mandates to private insurance, thus raising the cost of health insurance. **HB 2289** offers us the opportunity to reverse this trend. Mandates drive up the cost of health insurance. The purpose of this bill is to allow insurance carriers to offer affordable health insurance “Mandate Lite” plans in the individual and group markets that are not under the burden of all of the state mandates. Passage of **HB 2289** does no harm to the current market of state mandated health insurance plans, it allows insurance carriers to get creative in bringing affordable major medical health insurance plans to a competitive market, allows alternative health modalities to be offered as specially designed plans, does not cost the taxpayer a dime, and puts Kansas at the forefront of government initiatives that actually lower the cost of health insurance premiums. Mr. Day addressed questions from the committee. He provided the following information; 20-25% excessive costs from mandates, **HB 2289** addresses the issue of high cost insurance, 14 other states have mandate lite laws in place, and this bill provides opportunities for the uninsured.

CONTINUATION SHEET

Minutes of the House Health And Human Services Committee at 1:30 p.m. on February 11, 2009, in Room 784 of the Docking State Office Building.

Natalie Bright, representing the Wichita Independent Business Association(WIBA), provided testimony on **HB 2289** (Attachment 4). Nearly 90 percent of Kansans have health care coverage, which indicates Kansas does not have a health care access problem; instead, we have a cost problem. Although WIBA has maintained one of the most viable insurance programs for Kansas small businesses for over twenty years, they are also struggling to find affordable plans for their members. **HB 2289** provides an avenue for a less expensive insurance product for the small business owner struggling with health care. A limited mandate plan would be less expensive and make health insurance appealing for more businesses that currently are unable to provide coverage to their employees.

David Powell, David J. Powell & Associates, provided proponent testimony for **HB 2289** (Attachment 5).

Mr. Powell provided the list of 14 states that currently have plans in place. He also discussed insurance policies such as this to lower the cost of health insurance, encourage carriers from out of state to come into Kansas, and provide individuals and companies more choices for health insurance.

Daniel Murray provided testimony in favor of **HB 2289** (Attachment 6). Cost is the number one issue for health insurance. He agreed with previous testimony and stood for question.

Marlee Carpenter, Kansas Association of Health Plans, provided proponent testimony (Attachment 7)

Anne Spiess, American Cancer Society, provided testimony as an opponent to **HB 2289** (Attachment 8).

No other testimony was provided. The hearing was closed on **HB 2289**.

The committee proceed to work **HB 2010 - Board of healing arts; storage, maintenance and transfer of medical record; medical record maintenance trust fund.** Melissa Calderwood provided the Revisor's Edits on this bill (Attachment 8). The bill generally be amended as follows: Strike sections 2 and 3 from the bill and the references to those sections from the title and repealer of the bill and renumber sections accordingly. (Attachment 8). **Representative Flaherty moved to accept with amendments. Representative Mast seconded the motion. Representative Furtado suggested a floor but no ceiling for the funds. Representative Schwab moved to pass 2010 as amended. Representative Slattery seconded the motion. The motion was passed and carried.** Representatives Seigfried, Ward, Neighbor, and Gordon were not available at the time of the vote.

The committee proceeded to work **HB 2221 - Disclosure of certain child care information.** Representative Flaherty requested to insert "prohibition of" on page 2 line 2 after the word 'that'. **Representative Flaherty provided a motion to accept as amended. Representative Crum seconded the motion. The amendment was passed and carried.** Representatives Seigfried, Ward, Neighbor, and Gordon were not available for the vote. Norm approved striking the language on page 2, lines 5-15. **Representative Flaherty provided the motion to pass the bill favorably. Representative Schwab seconded the motion. The motion passed favorably as amended. The motion was passed and carried.** Representatives Seigfried, Ward, Neighbor, and Gordon were not available at the time of the vote.

The next meeting is scheduled for February 12, 2009.

The meeting was adjourned at 03:00 p.m.