

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 January 26, 2009, in Room 136-N of the Capitol.

Senator Haley was excused
Senator Wysong was excused

Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes
Doug Taylor, Office of the Revisor of Statutes
Kelly Navinsky-Wenzl, Kansas Legislative Research Department
Terri Weber, Kansas Legislative Research Department
Jan Lunn, Committee Assistant

Conferees appearing before the committee:

Senator Faust-Goudeau
Wade Fisher, MD, Co-Director of Heart Transplantation and Director of the Ventricular Assist Device Program at Via Christi, Wichita
Pamela Stevenson, Private Citizen
Barbara Langner, PhD, Kansas Health Policy Authority

Others attending:

See attached list.

Senator Chris Steineger introduced a bill dealing with health care reform in funding and structure of federal and state programs. Upon a motion by Senator Brungardt to approve introduction of this bill and a second by Senator Mary Pilcher-Cook, the motion carried.

Senator Faust-Goudeau was recognized by Senator Barnett. Senator Faust-Goudeau testified regarding the experience of her niece who received a heart transplant at Via Christi in Wichita, Kansas several years ago (Attachment 1). The current law does not provide for heart transplants for persons who have qualified for a Medicaid medical card; Senator Faust-Goudeau urged that this policy be changed. Senator Faust-Goudeau indicated that in the long-term, providing for heart transplantation saves taxpayers money since most patients have continued, on-going crisis care due to his/her cardiac condition.

Dr. Wade Fisher, co-director of heart transplantation and direction of the ventricular assist program at Via Christi, was introduced. Dr. Fisher testified in support of changing current statute to allow for heart transplantation for qualified Medicaid patients (Attachment 2). Via Christi is the only hospital in the state that provides heart transplant services in Kansas. The heart program at Via Christi was begun in 1986 and to date, the facility has performed over 180 transplants. Dr. Fisher indicated that there are three to ten referrals yearly for patients who have Medicaid as their primary insurance coverage; these patients are suffering from end-stage heart failure. The only options offered are either to establish residency in another state or to live with slowly worsening health and multiple hospital admissions for cardiac failure. Dr. Fisher discussed DRG reimbursement for heart transplantation with and without major complications. He indicated the medical economics point to heart transplantation as a better option for these patients, and Dr. Fisher encouraged support to restore Medicaid coverage for heart transplantation.

Senators inquired relative to the median survival rate for heart transplant patients, whether DRG reimbursement covers recovery, follow-up, surgeon's fees, etc., the number of transplants performed yearly at Via Christi, and whether private insurers cover heart transplantation. Dr. Fisher responded that survival rate during the first year following transplantation is 93% and the 10-year survival rate is 67%; at Via Christi there are 6-8 heart transplants performed yearly and Via Christi's outcome levels are above the national average; DRG reimbursement only covers the hospital admission and surgery, it does not cover long-term follow up nor any surgeon's fees. Dr. Fisher clarified that private insurers provide transplant coverage.

Senator Barnett questioned whether there was an age limit. Dr. Fisher responded the age limit is 75. Senator Kelly asked whether there are adequate donors for this procedure. Dr. Fisher briefly discussed the donor protocol which is managed by United Network for Organ Sharing (UNOS), and reported that in Kansas, the donor pool is adequate. Senator Pilcher-Cook questioned whether other technologies such as stem cell

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implantation is being researched at Via Christi. Dr. Fisher responded that at the current time, stem cell implantation/research is not performed at Via Christi. Other institutes perform studies using autologous bone marrow stem cells which has shown to provide some benefit, however, the gold standard at this time is heart transplantation.

Pam Stevenson is a private citizen diagnosed in 1993 with cardiomyopathy. Ms. Stevenson spoke about her condition, multiple hospitalizations, her fight to live with this debilitating condition, and her lack of understanding as to why other states bordering Kansas provide transplantation to residents with Medicaid as primary insurance (Attachment 3). Ms. Stevenson urged senators attending the Public Health and Welfare meeting to provide life-saving treatment to patients with Medicaid as primary insurance.

Senator Barnett inquired how long one would have to reside in another state to become eligible for heart transplantation; it was clarified that a patient would have to establish residency for a length of one year.

Barb Langner, Kansas Department of Health and Environment, provided testimony (Attachment 4) indicating that at the current time, Kansas Medicaid covers heart transplants for children only. The law providing coverage for adults was changed in October 2006.

Senator Schmidt inquired how many transplants have been performed for children through KAN Be Healthy and whether transplants can be performed in other states (if Kansas doesn't provide that service). Senator Schmidt requested that information be furnished in addition to what reimbursements have been paid for pediatric transplants, and whether reimbursements are negotiated or set. Ms. Langner indicated she would furnish information at a later date.

Senator Schmidt requested that the Kansas Health Policy Authority Board review the issue presented; the committee agreed and requested that Ms. Langner communicate with the KHPA Board relative to the Committee's consensus recommendation.

Nobuko Folmsbee, revisor of statutes office, briefed senators attending the meeting on Senate Bill 25 which concerns crimes and punishments; relating to smoking. The bill was briefed in anticipation of the hearing scheduled on January 27, 2009, for which there are numerous conferees scheduled.

The meeting was adjourned at 2:34pm.