

## REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on **Public Health and Welfare** recommends **HB 2241**, as amended by adoption of the committee report as recommended by Committee on Public Health and Welfare as reported in the Journal of the Senate on March 18, 2011, and the bill as printed with amendments by Senate Committee, be further amended:

On page 1, in line 20, by striking "independent" and inserting "professional"; in line 21, by striking "in the performance of such dentist's professional"; in line 23, by striking "duties";

On page 2, in line 6, by striking "independent" and inserting "professional"; in line 7, by striking "in the performance of such dentist's professional"; in line 8, by striking "duties"; in line 39, by striking "Kansas"; in line 42, by striking "Kansas";

On page 4, in line 3, by striking "Kansas"; in line 19, by striking "Kansas";

On page 7, in line 13, by striking "Kansas"; in line 38, by striking "Kansas";

On page 8, in line 14, after "representation;", by inserting "and"; following line 30, by inserting the following: "New Sec. 7. (a) The Kansas dental board may seek declaratory judgment pursuant to K.S.A. 60-1701 et seq., and amendments thereto, against any dentist or franchisor or other entity that contracts with a dentist, if any contract between the dentist and franchisor or any other entity appears to the board to be in violation of the dental practices act. Upon a finding that a dentist, franchisor or other entity is a party to an agreement that is in violation of state law, or the dental practices act, or both, the court may enjoin the enforcement of the contract provisions determined to be in violation of state law, or the dental practices act, or both. The court may award reasonable attorney fees to the prevailing party in any action for declaratory judgment brought pursuant to this section.

(b) This section shall be part of and supplemental to the dental practices act.";

And by renumbering remaining sections accordingly;

On page 8, in line 34, by striking "statute book" and inserting "Kansas register";

On page 1, in the title, in line 1, by striking "Kansas";

And the bill be passed as amended.

\_\_\_\_\_Chairperson