

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Stephen Morris at 10:30 a.m. on March 22, 2002 in Room 123-S of the Capitol.

All members were present except: Senator Jean Schodorf - excused

Committee staff present:

Alan Conroy, Chief Fiscal Analyst, Kansas Legislative Research Department  
Deb Hollon, Kansas Legislative Research Department  
Martha Dorsey, Kansas Legislative Research Department  
Leah Robinson, Kansas Legislative Research Department  
Carolyn Rampey, Kansas Legislative Research Department  
Julian Efird, Kansas Legislative Research Department  
Paul West, Kansas Legislative Research Department  
Michael Corrigan, Assistant Revisor of Statutes  
Judy Bromich, Assistant to the Chairman  
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

John Kiefhaber, Executive Vice President, Kansas Health Care Association  
John Grace, President/CEO, Kansas Association of Homes and Services for the Aging (written)  
Tom Bell, Senior Vice President/Legal Counsel, Kansas Hospital Association  
Tom Laing, Executive Director, InterHab  
Michael Pepoon, Director, Governmental Relations, Sedgwick County  
Kathleen Sexton, Assistant County Manager & CIO, Sedgwick County  
Edward Williams, Reno County Administrator (written)  
Judge Paul Buchanan, Chief Judge, Eighteenth Judicial District, Sedgwick County  
Richard Morrissey, Office of Local and Rural Health, Department of Health and Environment  
Jon Jossierand, on behalf of the University of Kansas  
Pat Hurley on behalf of Dr. Robert Moser, Jr., MD, Pres., Kansas Academy of Family Physicians  
Dale Brunton, Director, Accounts and Reports, Department of Administration

Others attending: See attached list

Chairman Morris continued the public hearing on:

**SB 644—Medicaid payment and rate schedules**

The Chairman recognized Janis DeBoer, Deputy Secretary, Department on Aging, who explained a proposed amendment to **SB 644** (Attachment 1). Ms. DeBoer explained that these changes offer a replacement for page 5 of **SB 644**. She mentioned that specifically they offer these changes to the bill as shown on the proposed amendment. Committee questions and discussion followed.

John Kiefhaber, Executive Vice President, Kansas Health Care Association, testified in opposition to **SB 644** (Attachment 2). Mr. Kiefhaber referred to the section starting on line 14, where the bill seeks to drop the requirement that reasonable and adequate costs which must be incurred be reimbursed and expressed concern regarding that language.

Thomas L. Bell, Senior Vice President/Legal Counsel, Kansas Hospital Association, testified in opposition to **SB 644** (Attachment 3). Mr. Bell explained that it was their perception that the current state law has not acted as a barrier to the Department of Social and Rehabilitation Services in setting payment schedules and the language in **SB 644** would apply to all health care providers, not just facilities.

Tom Laing, Executive Director, InterHab, testified in opposition to **SB 644** (Attachment 4). Mr. Laing noted in testimony that they must point to lines 14-22, wherein statutory language is eliminated that requires that rates cover the costs of services that conform with state and federal quality and safety standards.

## CONTINUATION SHEET

Written testimony was received from John R. Grace, President/CEO, Kansas Association of Homes and Services for the Aging, in opposition to **SB 644** (Attachment 5).

Committee questions and discussion followed and the Chairman thanked the conferees for appearing before the Committee. There being no further conferees to come before the Committee, the Chairman closed the public hearing on **SB 644**.

### **Bill Introductions**

Senator Adkins moved, with a second by Senator Jordan, to introduce two bills, one concerning municipal funded insurance pools (1rs2371) and the second concerning roads; relating to certain open roads (1rs2379). Motion carried on a voice vote.

Chairman Morris opened the public hearing on:

### **HB 2763–Repealing two statutes that require certain size counties to provide courtroom and supplies for district courts as the judges deem necessary**

Staff briefed the Committee on the bill.

Michael D. Pepoon, Director, Government Relations, Sedgwick County, testified in support of **HB 2763** (Attachment 6). Mr. Pepoon mentioned that there are two fundamental reasons why Sedgwick County is requesting the repeal of the two statutes:

- There is no legal justification or need for having two separate set of rules governing how counties fund the district court in their counties, and
- By repealing these statutes, all counties will be governed by laws that very clearly establish the board of county commissioners as having final authority to determine and approve the budget for district court operations in their counties.

Mr. Pepoon noted that this would bring all counties under a budget procedure that closely follows state law concerning how the state legislature approves the state court's budget.

Kathy Sexton, Assistant County Manager and Chief Information Officer, Sedgwick County Government, testified in support of **HB 2763** (Attachment 7). Ms. Sexton mentioned the need to reconcile the two existing statutes. She noted that clarification the law is needed so the job of serving the public can take place.

Written testimony was received in support of **HB 2763** from Edward E. Williams, Reno County Administrator (Attachment 8).

Paul Buchanan, Chief Judge, Eighteenth Judicial District, Sedgwick County, testified in opposition to **HB 2763** (Attachment 9). Judge Buchanan explained that the County presented testimony as to what it has done for the Court and he has no problem with that. His concerns are that the testimony does not prove that the County has fulfilled its obligations to be responsible for the expenses incurred for the operation of the court in the County and referred to exhibit A of his testimony and the usage of the Court photocopiers.

Committee questions and discussion followed. Chairman Morris thanked the conferees for appearing before the Committee. There being no further conferees to come before the Committee, the Chairman closed the public hearing on **HB 2763**.

Chairman Morris opened the public hearing on:

### **HB 2057–Medical student scholarships and loans and medically underserved areas**

Staff briefed the Committee on the bill.

## CONTINUATION SHEET

Richard Morrissey, Director, Local Health and Rural Health, Department of Health and Environment, testified in support of **HB 2057** (Attachment 10). Mr. Morrissey explained that the primary purpose of the bill is to eliminate sections which provide for the medical scholarship program which has been phased out by the University of Kansas. Section I proposes transferring responsibility for publishing an annual list of medically underserved areas from the Chancellor of the University of Kansas to the Secretary of Health and Environment. He also recommended deletion of the proposed addition of “child psychiatry” to the approved postgraduate residency training programs.

Jon Jossierand, Legislative Liaison, University of Kansas, testified in support of **HB 2057** (Attachment 11). Mr. Jossierand explained that the bill:

- Eliminates obsolete and superfluous language related to the former Medical Scholarship Program
- Transfers from the University of Kansas, to the Kansas Department of Health and Environment, the responsibility to produce an annual report designating areas of Kansas that are medically underserved by medical specialty

Mr. Jossierand noted that they call the Committee’s attention to the amendment adding child psychiatry to the definition of “approved postgraduate residency training program” and suggest that it may not be consistent with the objectives of the current Medical Loan Program.

Pat Hurley testified on behalf of Dr. Robert P. Moser, President, Kansas Academy of Family Physicians, in support of **HB 2057** (Attachment 12). Mr. Hurley mentioned that the testimony distributed was that of Dr. Robert P. Moser given to the House Committee on Health and Human Services. He noted that the Family Physicians share the same concerns of the Kansas Health and Environment Department and the University of Kansas and there are still 64 counties that are critically underserved with primary care physicians. Their major concern is potentially that adding child psychiatry could take slots away right now from the program that exists to create more primary care physicians.

Committee questions and discussion followed. Chairman Morris thanked the conferees for appearing before the Committee. Senator Salmans requested information regarding child psychiatry, information regarding how many people have taken advantage of the scholarship and how many have actually returned to rural areas.

There being no further conferees to come before the Committee, the Chairman closed the public hearing on **HB 2057**.

Chairman Morris opened the public hearing on:

### **HB 2810–Concerning the division of accounts and reports; requiring reports to the legislature when requested**

Staff briefed the Committee on the bill.

Dale Brunton, Director of Accounts and Reports, testified in support of **HB 2810** (Attachment 13). Mr. Brunton explained that the bill was proposed to eliminate, or make available upon request, reports that are no longer useful to all recipients. He also mentioned that the bill is intended to eliminate unnecessary work effort and align statutory requirements with more efficient procedures.

The Chairman thanked Mr. Brunton for appearing before the Committee. There being no further conferees to come before the Committee, the Chairman closed the public hearing on **HB 2810**.

Chairman Morris called the Committee’s attention to discussion of:

### **HB 2900–Kansas state university, authorizing sale and conveyance of certain real estate in Riley county**

Senator Feleciano moved, with a second by Senator Barone, to recommend **HB 2900** favorable for passage. Motion carried on a roll call vote.

CONTINUATION SHEET

**HB 2901–Kansas state university, authorizing exchange of certain real estate in Riley county with the Kansas state university foundation**

Senator Feleciano moved, with a second by Senator Barone, to recommend **HB 2901** favorable for passage. Motion carried on a roll call vote.

**HB 2810–Concerning the division of accounts and reports; requiring reports to the legislature when requested**

Senator Feleciano moved, with a second by Senator Barone, to recommend **HB 2810** favorable for passage. Committee discussion followed.

Senator Huelskamp moved a substitute motion, with a second by Senator Feleciano, to amend the bill that for any report that is available on the internet, a hard copy would not be received and with a notice by e-mail that the report is available to all legislators, a hard copy of the report may be requested and recommend **HB 2810** favorable for passage as amended. Motion carried on a roll call vote.

**SB 530--Employment after retirement**

Senator Adkins moved, with a second by Senator Downey, to recommend **SB 530** favorably for passage. Committee discussion followed. Copies of the Subcommittee Report on KPERS Issues was distributed to the Committee (Attachment 14).

Copies of a letter from Glen Deck, Executive Director, Kansas Public Employees Retirement System, regarding suggested IRS Compliance Amendment to **SB 530** (Attachment 15).

Senator Adkins renewed his motion, with a second by Senator Downey, to include amendments as recommended in the Senate Subcommittee Report on KPERS Issues to allow nurses who work at institutions under the Veteran’s Commission to be exempt from the earnings cap on KPERS retirees who return to work for the state, including a three-year sunset provision, the suggested IRS compliance amendment recommended by KPERS and recommend **SB 530** favorably for passage as amended. Motion carried on a roll call vote.

The meeting was adjourned at 12:15 p.m. The next meeting is scheduled for March 25, 2002.