

Approved: March 31, 2010

Date

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 March 2, 2010, in Room 784 of the Docking State Office Building.

All members were present.

Committee staff present:

Ken Wilke, Office of the Revisor of Statutes  
Kathie Sparks, Kansas Legislative Research Department  
Debbie Bartuccio, Committee Assistant

Conferees appearing before the Committee:

None

Others attending:

See attached list.

**HCR 5032 - Constitutional amendment to preserve right to choose health care services and participate in health insurance plan**

The Committee proceeded to work **HCR 5032**. There were some questions relating to insurance and the ability to pay directly to a physician which were discussed.

Representative Mast commented that no bill is so comprehensive that it tells everyone everything. This bill is basically a statement of the right and the protection of the constitution in regard to an individual making lawful choices for their health care. It doesn't expand anything outside of that.

Representative Ward made a motion for an amendment to add to page 3, line 7, the sentence "A vote for this proposition will increase the cost of health care in Kansas." Representative Slattery seconded the motion.

Representative Ward commented **HCR 5032** would allow irresponsible people who don't buy health care insurance to shift that cost to the public such as those who use the emergency rooms for their primary care and the cost of those who get hurt with catastrophic injuries on the Medicaid budget. There was discussion by the committee on this comment.

Representative Schwab made a substitute motion to pass out **HCR 5032** favorable. The motion was seconded by Representative Mast.

In order to have additional discussion by the committee members, Chairperson Landwehr requested Representative Schwab to withdraw the motion at this time.

Representative Schwab made a motion to withdraw his previous motion to pass out **HCR 5032**. Representative Mast then withdrew her previous second of Representative Schwab's motion.

There was discussion about the impact **HCR 5032** might have on any federal funding to be provided for health care to the State of Kansas. Sarah McIntosh, a constitutional scholar, was available to answer committee questions.

Representative Otto made a motion to vote on the amendment proposed by Representative Ward. The motion was seconded by Representative Schwab. It was determined a Yes vote would stop debate of the Ward amendment and a No vote would continue discussion of the Ward amendment. Upon voting, there were 10 Yes and 12 No votes.

CONTINUATION SHEET

Minutes of the House Health and Human Services Committee at 1:30 p.m. on March 2, 2010, in Room 784 of the Docking State Office Building.

Discussion on the Ward amendment continued.

Representative Trimmer made a motion to make a change on page 3 and amend lines 7 through 26 by striking those lines and the explainer. The motion was seconded by Representative Slattery.

Discussion on the Trimmer amendment continued.

Representative Trimmer closed on his amendment. The vote was 10 in favor and 11 opposed. The Trimmer amendment failed.

Discussion continued on **HCR 5032**.

Chairperson Landwehr made a motion to come up with language to protect the health insurance provided by automobile insurance. The motion was seconded by Representative Crum.

Representative Mast made a substitute motion to move that the committee pass **HCR 5032**. The motion was seconded by Representative Schwab.

Discussion continued on the substitute motion.

Representative Mast closed on her motion to pass out **HCR 5032** favorably. The final vote was 12 in favor and 9 opposed. The following Representatives requested their No votes be record: Representative Slattery, Representative Winn, Representative Furtado, and Representative Flaharty.

The next meeting is scheduled for March 3, 2010.

The meeting was adjourned at 3:20 p.m.

# HOUSE HEALTH & HUMAN SERVICES COMMITTEE

DATE: 3/2/10

NAME	REPRESENTING
Jeanne Keane	Eagle
Emma Eckert	intech
Katley Outlaw	KSNA
Craig Guntner	KSNA
John Bradford	Leavenworth County GOP
Wendy Weissenbach	Leavenworth County GOP
Aimee Stone	Topeka 912 Project
Carolyn L. Platt	Topeka 912 Project
Stephen T. McGinnis	Topeka 912 Project
LINDA MC GINNIS	TOPEKA 912/KS SOVEREIGNTY Coalition
Bobbi Dennis	Ks. Asso. Osteopathic Med.
Michelle Butler	Cap. Strategies
Suzanne Gaudreault	KHI
Nancy L. Jance	Flint Hills T.E.A.
Christina Jance	FLINT HILL T.E.A.
CHUCK HENDERSON	FLINT HILLS TEA PARTY
Sylda Nichob	Flint Hills TEA Party
Tom Nichob	Flint Hills TEA Party
Nancy Zogleman	Polsinelli

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# HOUSE HEALTH & HUMAN SERVICES COMMITTEE

DATE: 3/2/2010

NAME	REPRESENTING
Mary Ellen Conlee	Adv. Practice Nurses
Lori Church	KAPCIC
Melissa Tenbrink	Washburn University - Graduate Nursing Student
Bob Eckhardt	Self
Lynn Kain	Self
Phillis Setchell	Self

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