

Approved: July 21, 2006  
Date

## MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:35 A.M. on February 24, 2006, in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Jill Wolters, Revisor of Statutes Office  
Michael Corrigan, Revisor of Statutes Office  
J. G. Scott, Kansas Legislative Research Department  
Michelle Alishahi, Kansas Legislative Research Department  
Reagan Cussimano, Kansas Legislative Research Department  
Amy Deckard, Kansas Legislative Research Department  
Audrey Dunkel, Kansas Legislative Research Department  
Julian Efird, Kansas Legislative Research Department  
Susan Kannarr, Kansas Legislative Research Department  
Becky Krahl, Kansas Legislative Research Department  
Judy Bromich, Chief of Staff  
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Senator Phillip Journey  
Senator Roger Reitz  
Roger Werholtz, Secretary, Kansas Department of Corrections  
Michael Kearns, Riley County Commissioner  
Randall Allen, Kansas Association of Counties  
Fred Lucky, Kansas Hospital Association  
Jeff Bottenberg, Kansas Sheriff's Association (written)

Others attending:

See attached list.

### **Bill Introductions**

Senator Taddiken moved, with a second by Senator Schodorf, to introduce a bill concerning prohibiting possession of regulated animals except in limited circumstances; requiring registration; regulated animals include lions, tigers and bears (5rs2231). Motion carried on a voice vote.

Chairman Umbarger opened the public hearing on:

### **SB 480--Claims against the state**

Staff briefed the Committee on the bill.

The Chairman welcomed Senator Phillip Journey who was the Chairman of the Joint Committee on Special Claims Against the State. Senator Journey gave a brief overview of the Committee action taken by the Joint Committee during the interim. The Revisor had prepared a proposed technical balloon amendment for the Committee's consideration (Attachment 1). Senator Barone moved, with a second by Senator Emler, to adopt the technical balloon amendment to **SB 480**. Motion carried on a voice vote.

Senator Emler moved, with a second by Senator Taddiken, a balloon amendment for **SB 480** to add a claim for payment of an expired warrant in the amount of \$1,700.92 (Attachment 2). Motion carried on a voice vote.

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

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 8:35 A.M. on February 24, 2006, in Room 123-S of the Capitol.

**SB 480.**

Senator Steineger moved, with a second by Senator Emler, to recommend **SB 480** favorable for passage as amended. Motion carried on a roll call vote.

The Chairman opened the public hearing on:

**SB 565--Medical care and treatment costs of offenders in county jail**

Staff briefed the Committee on the bill.

Chairman Umbarger welcomed the following conferees:

Senator Roger Reitz testified in support of **SB 565** and explained that this bill compliments a bill introduced last year relating to state payment for care of a prisoner's wounds suffered at the hands of a state trooper, no matter in which county the injury occurred (Attachment 3). In closing, he noted that the bill would essentially guarantee county jails the most reasonable rates that could be obtained for prisoner medical care.

Roger Werholtz, Secretary, Kansas Department of Corrections, spoke in support of the bill (Attachment 4). Secretary Werholtz explained that **SB 565** would apply Medicaid rates only to "medical care facilities" and would not include health care providers who have also agreed to charge Medicaid rates for the treatment of patients as provided by **HB 2893**. In closing, Secretary Werholtz mentioned that the Department of Corrections and the Juvenile Justice Authority support application of Medicaid rates for persons in custody and urge the Committee to adopt the balloon amendments proposed for **HB 2893** as a substitute for **SB 565**.

Michael Kearns, Riley County Commissioner, testified in support of **SB 565** (Attachment 5). Mr. Kearns explained that passage of **SB 565** is important because unlike its counterpart in the House, **HB 2893**, it applies to Riley County, the only Kansas county with consolidated law enforcement. He noted that passage of only **HB 2893** would leave Riley County outside the benefits of a ceiling on jail inmate medical costs available to 103 other counties. Mr. Kearns mentioned that on behalf of the Riley County Commission, they support this bill.

Randy Allen, Executive Director, Kansas Association of Counties, presented testimony in favor of **SB 565** (Attachment 6). Mr. Allen explained that they are in support of the balloon amendment proposed by Secretary Werholtz of the Kansas Department of Corrections. He also expressed concern if a prompt or quick pay was put into statute because he felt the county would pay on time.

Fred Lucky, Senior Vice President, Kansas Hospital Association, testified as a neutral conferee (Attachment 7). In his written testimony, Mr. Lucky provided some proposed balloon amendments to bring **SB 565** more in line with **HB 2893**. Mr. Lucky explained that the bill would require medical care facilities and providers of pharmaceuticals to accept as payment in full the prevailing rates due to the provider under their agreement with the Kansas Health Policy Authority - Medicaid. He also suggested that the parties involved meet to discuss the bills and it was suggested by the Committee to add pharmacists to this discussion group.

Written testimony was submitted by Jeff Bottenberg, Legislative Counsel, Kansas Sheriff's Association (Attachment 8).

There being no further conferees to come before the Committee, the Chairman closed the public hearing on **SB 565**.

The meeting adjourned at 9:25 a.m. The next meeting was scheduled for February 28, 2006.