

MINUTES OF THE SENATE COMMITTEE ON COMMERCE.

The meeting was called to order by Chairperson Senator Karin Brownlee at 8:30 a.m. on March 05, 2001 in Room 123-S of the Capitol.

All members were present except: Senator Brungardt (Excused)
Senator Jordan (Excused)
Senator Wagle (Excused)

Committee staff present: April Holman, Legislative Research Department
Bob Nugent, Revisor of Statutes
Lea Gerard, Secretary

Conferees appearing before the committee: Barb Reavis, Work Force Development Coordinator
Phil Harness, Director Workers Compensation, HR
Fred Lucky, Kansas Hospital Assoc.
Jim Keating, President Kansas State Fire Chiefs Assoc.
David Lake, Administrator-EMS
Kathy Greenlee

Others attending: See attached sheet.

Barb Reavis, Workforce Development Coordinator, provided an answer to Committee members regarding a question asked at a January 30, 2001 Commerce meeting of where the frequently stated "\$400 million for workforce investment in Kansas" was and how it was being used (Attachment 1). Barb Reavis stated there was not \$400 million for workforce development in Kansas and that the total estimated funding for Year 2001 is \$261,279,154.

In response to a Committee question, Barb Reavis stated that the Legislative Research Department had not reviewed this document to reconcile the differences. She stated she had talked with SRS about what the difference was and they did not have a sense of where anyone would have come up with the \$200 million. Senator Barone asked if this amount could be reconciled.

Senator Brownlee requested that Barb Reavis provide the committee with the agencies results on their outcome measures and a clear understanding of SRS's Department totals from KWIP's Research 2001 and the Legislative Research 2000.

Senator Steineger moved, seconded by Senator Emler, that the minutes of February 15 and 20, 2001 be approved. The vote was unanimous in favor of the motion.

April Holman, Legislative Research Department, briefed the committee on the change in **HB 2004** stating the date to submit budget estimates will change from July to October 1 of each year.

Senator Steineger made a motion to pass HB 2004 favorably and place on the consent calendar. Seconded by Senator Barone. The vote was unanimous in favor of the motion.

Hearings on **HB 2301**:

Phil Harness, Workers Compensation Director, testified in support of **HB 2301** stating it is a compilation of recommendations to amend the Workers Compensation act passed by the Workers Compensation Advisory Council. The amendments would require that volunteers be paid benefits based on the state's average weekly wage until the physician releases the injured worker to return to work (Attachment 2).

Fred Lucky, Vice President, Kansas Hospital Association, testified in support of **HB 2301** stating the bill addresses the volunteer fire and emergency response units and provides equitable treatment under the state's worker's compensation provisions.

Mr. Luckey submitted amendments to **HB 2301** to make the bill stronger and more acceptable for providers. On Page 2 and 10, Lines 1 and 25-26 respectively is a change to “*first responders*” from “*ambulance attendants*”. The term “*so long as reasonable*” found on Page 7, Line 9, substituting “*and customary*” to make the bill’s language consistent with that which is used in the area of health insurance. The last recommendation are the terms “usual charge” and “*customary charge*” be defined in regulation as recommended by the balloon language on Page 5, after Line 18 (Attachment 3).

Jim Keating, President Kansas State Fire Chiefs Association, testified in support of **HB 2301** stating it is important to give assurance to emergency volunteers that they will be compensated at a fair rate if injured and not penalized for volunteering their time to their communities (Attachment 4).

David Lake, Administrator Emergency Medical Services, testified in support of **HB 2301** stating while it happens infrequently, emergency volunteers do get hurt and under the present law, reimbursement is based on the very minimal amount of pay. The Board of Emergency Medical Services recommends to amend the current language on Page 10, Section (6) (A), Line 26 into Line 27, and replace “*emergency medical technician, mobile intensive care technician* with the following: *emergency medical services attendance* as referenced in section 65-6112 (d)” (Attachment 5).

In response to a question from the Committee, David Lake stated the current staffing of an ambulance requires two attendants, which would mean two people that are at some level in this five category, one of whom has to be an EMT in the compartment with the patient, second attendant must be at least a first responder. There is some confusion over the regulation or law in that it does not require any kind of training for the driver. If the driver is not certified under current language, they will not be covered by this bill.

A request was made by the committee that David Lake would work with Bob Nugent, Revisor of Statutes, to propose language in **HB 2301** that would cover all emergency volunteer personnel.

Kathy Greenlee, General Counsel, Kansas Insurance Department, testified in support of **HB 2301** (Attachment 6).

In response to a question of increases to Workman’s Comp rates for the cities, Kathy Greenlee stated that on the House side there was opposition from the Kansas League of Municipalities. The League expressed concern for their pool that they may not be able to absorb the rate increase because there is a cap on the amount that they can recover from their cities and counties; however, that is the only pool that has voiced any opposition.

Kathy Greenlee will provide committee members with information regarding Workman’s Comp rates for the cities and contact the Kansas League of Municipalities to come and testify before the Senate Commerce Committee.

Terry Humphrey, Executive Director Kansas Trial Lawyers Association, presented written testimony in support of **HB 2301**.

Jason White, KEMSA presented written testimony in support of **HB 2301**.

Meeting adjourned at 9:30 a.m.

Next meeting scheduled March 06, 2001 at 8:30 a.m.