

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman James Barnett at 1:30 P.M. on January 23, 2007 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Emalene Correll, Kansas Legislative Research Department
Terri Weber, Kansas Legislative Research Department
Jim Wilson, Office of Revisor of Statutes
Nabuko Folmsbee, Office of Revisor of Statutes
Morgan Dreyer, Committee Secretary

Conferees appearing before the committee:

Pam Scott, Executive Director, Kansas Funeral Directors Association
Diane Glynn, J.D., R.N., Practice Specialist with The Kansas Board of Nursing
Ellen Carson, PH.D., A.R.N.P., B.C., President, Kansas State Nurses Association
Deborah Stern, Vice President Clinical Services/Legal Counsel, Kansas Hospital Association
Linda Kenney, Director, Bureau for Children, Youth and Families, Kansas Department of Health and Environment

Others attending:

See attached list.

Upon calling the meeting to order, Chairman Barnett asked that the Committee review the Minutes for January 17, 2007 and January 18, 2007 for approval at the end of the meeting.

The Chair also asked that the Committee view a packet of the 3 studies that The Kansas Health Policy Authority submitted to the legislature since the end of the 2006 Session. The three studies are:

- Prescription Drug Generic Rebate and Dispensing Cost Study
- Potential Impact of a Medicaid Photo Identification Requirement
- Early Results from the Presumptive Eligibility Pilot Program

A copy of these studies are (Attachment 1) attached hereto and incorporated into the Minutes as referenced.

Introduction of Bills

Chairman Barnett called upon Pam Scott, Executive Director, Kansas Funeral Directors Association, who proposed a bill which would amend Kansas statutes relating to the licensing of assistant funeral directors. A copy of the draft is (Attachment 2) attached hereto and incorporated into the Minutes as referenced.

The motion was made by Senator Gilstrap to adopt the introduced bill. It was seconded by Senator Schmidt and the motion carried.

The Chair introduced a bill for Ernie Kutzley, Advocacy Director for AARP Kansas. The proposed legislation would reflect the New Hampshire # 1346 "Prescription Confidentiality Act" and the possibility that passage of a similar law in Kansas would help reduce health care costs and help protect the privacy of physicians. A draft of the bill was not provided. A copy of his requested proposal is (Attachment 3) attached hereto and incorporated into the Minutes as referenced.

The motion was made by Senator Schmidt to adopt the introduced bill. It was seconded by Senator Jordan and the motion carried.

The Chair asked for Jim Wilson give a brief reading and to explain **SB 107**. The Chair then announced the next order of business would be to open a hearing on **SB 107**.

Hearing on SB 107 – An act concerning the board of nursing; fingerprinting and criminal history records checks; creating the criminal background and fingerprinting fund.

CONTINUATION SHEET

MINUTES OF THE Senate Public Health and Welfare Committee at 1:30 P.M. on January 23, 2007 in Room 231-N of the Capitol.

The Fiscal Note for **SB 107** was available for the Committee to view. A copy of the fiscal note is (Attachment 4) attached hereto and incorporated into the Minutes as referenced.

Chairman Barnett called upon his first proponent conferee, Diane Glynn, Practice Specialist, Kansas Board of Nursing who stated that the bill will allow the Board of Nursing to ask an applicant for licensure to be fingerprinted and submit to a state and national criminal history record check. A copy of her testimony is (Attachment 5) attached hereto and incorporated into the Minutes as referenced.

Questions came from Senators Palmer, Wagle, Schmidt, Barnett, and Journey regarding increase for renewals, intent, other states recognizing the Kansas License, language of the legislation, original and new application, other agencies doing background checks, implementation for all or only new employees, data referencing the Boards, awareness, employee validated to take fingerprints, and Federal employee licenses.

The Chair then called upon opponent conferee Ellen Carson, PH.D., A.R.N.P., B.C., Kansas State Nurses Association who stated that KSNA would accept the legislation if the Committee uses the amendments listed in their testimony. A copy of her testimony is (Attachment 6) attached hereto and incorporated into the Minutes as referenced.

No questions came from the Committee.

Chairman Barnett called upon his last proponent conferee, Deborah Stern, Vice President Clinical Services/ Legal Counsel, Kansas Hospital Association who stated their support for **SB 107** because it would assist Kansas hospitals by requiring both a state and a federal criminal background check for all registered nurses. A copy of her testimony is (Attachment 7) attached hereto and incorporated into the Minutes as referenced.

With no more conferees and no questions from the Committee, Chairman Barnett closed the hearing on **SB 107**.

Then Chair then called upon Nabuko Folmsbee to give a brief reading and explain **SB 116**. The Chair then announced the next order of business would be to open a hearing on **SB 116**.

Hearing on SB 116 – An act concerning school; health programs

The Fiscal Note for **SB 116** was available for the Committee to view. A copy of the fiscal note is (Attachment 8) attached hereto and incorporated into the Minutes as referenced.

The Chair then called upon neutral conferee, Linda Kenney, Director Bureau for Children, Youth and Families, Kansas Department of Health and Environment who stated her thanks to the Committee for the opportunity to provide the department's comments relating to this bill that amends the requirements for child health assessments for new Kansas school entrants age 8 and under. A copy of her testimony is (Attachment 9) attached hereto and incorporated into the Minutes as referenced.

No questions came from the Committee.

Chairman Barnett announced to the Committee that there was written testimony provided for the Committee in opposition to **SB 116** from Cindy Galemore, Director of Health Services for Olathe District Schools. A copy of her testimony is (Attachment 10) attached hereto and incorporated into the Minutes as referenced.

With no more conferees and no more questions from the Committee, the Chair closed the hearing on **SB 116**.

Chairman Barnett announced that the final item on the agenda was for the Minutes to be approved for the Senate Public Health and Welfare Committee for January 18, 2007.

The motion was made by Senator Journey to approve the Minutes. It was seconded by Senator Jordan and the motion carried.

Adjournment

CONTINUATION SHEET

MINUTES OF THE Senate Public Health and Welfare Committee at 1:30 P.M. on January 23, 2007 in Room 231-N of the Capitol.

As there was no further business, the meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for Thursday, January 25, 2007.