

Approved: March 21, 2000

Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE.

The meeting was called to order by Chairperson Sandy Praeger at 10:00 a.m. on March 14, 2000 in Room 526-S of the Capitol.

All members were present except:

Committee staff present: Norman Furse, Revisor of Statutes
 Lisa Montgomery, Revisor of Statutes
 Hank Avila, Legislative Research Department
 JoAnn Buntun, Committee Secretary

Conferees appearing before the committee:

 State Representative Bob Bethell
 John Peterson, representing Homes and Services for the Aging
 Linda Lubensky, Kansas Home Care Association
 Lisa Bray, KDHE
 John Kiefhaber, Kansas Health Care Association
 Karrie Kuhlman, Kansas Professional Nursing Home Administrators
 Mary Blubaugh, Executive Administrator, Kansas State Board of Nursing
 Terri Roberts, Executive Director, Kansas State Nurses Association

Others attending: See attached list

Hearing on HB 2700 - Criteria for employment in adult care homes and home health agencies

State Representative Bob Bethell, sponsor of **HB 2700**, expressed his support for the bill that would provide background checks and results of those KBI checks of individuals seeking employment in adult care homes and home health agencies.

John Peterson, representing Homes and Services for the Aging, testified before the Committee in support of **HB 2700**. Mr. Peterson noted that employers would be assisted in making prudent hiring decisions by being provided information relating to felony convictions beyond those that statutorily prohibit employment. The bill would also permit employers to get background checks through private KBI-approved entities as some private contractors have access to out-of-state information which is lacking in the KDHE system. (Attachment 1)

Linda Lubensky, Kansas Home Care Association, expressed her support for the bill and noted that by providing additional criminal conviction information, the employer is then able to make responsible decisions about who they choose to use in the home health care setting. (Attachment 2)

Speaking in opposition to the bill was Lisa Bray, Director of Health Occupations Credentialing, Bureau of Health Facilities, KDHE. Ms. Bray briefed the Committee on the history and procedure of providing background checks of individuals employed in adult care homes and the home health agency field by KDHE in partnership with the Kansas Bureau of Investigation, costs of providing such background checks under the current statutory requirement, and the fiscal impact of the proposed legislation as shown in her written testimony. (Attachment 3) During Committee discussion it was suggested by Ms. Bray that the current method of background checks be left as is. Because of the complexity of this proposed legislation, the Chair appointed Senator Hardenburger as Chair, and Senator Bleeker and Senator Lee as members of a subcommittee to study the issues related to **HB 2700** and report back to the Committee at a later date.

Other testimony submitted to the Committee in support of **HB 2700** was received from: John Kiefhaber, Kansas Health Care Association, (Attachment 4); Karrie Kuhlman, Kansas Professional Nursing Home Administrators, (Attachment 5); and John Federico, representing the Clarence M. Kelley Group of Companies, (Attachment 6).

Hearing on Sub HB 2169 - Nurse Practice Act

Mary Blubaugh, Executive Administrator, Kansas State Board of Nursing, testified before the Committee in support

of **Sub HB 2169** that relates to changes in the Nurse Practice Act. Ms. Blubaugh offered

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE, Room 526-S, Statehouse, at 10:00 a.m. on March 14, 2000.

amendments that would change the term “accreditation” to “approval” throughout all sections addressing schools of nursing or advanced nursing education programs, and adding a statutory fee for ARNP program renewals capped at \$400 which would be established in rules and regulations at \$200 annually. (Attachment 7)

Terri Roberts, Executive Director, Kansas State Nurses Association, expressed her support for the bill and the amendments offered by Ms. Blubaugh of the Board of Nursing. (Attachment 8)

Adjournment

The meeting was adjourned at 11:00 a.m.

The next meeting is scheduled for March 15, 2000.