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MEMORANDUM

To: Chairman Pauls
Members of the House Committee on Federal and State Affairs

From: Jason B. Long, Senior Assistant Revisor

Date: January 28, 2016

Subject: SB 224 – Authority of EMS Board.

Senate Bill No. 224 makes various amendments to K.S.A. 65-6111 regarding the Emergency Medical Services Board. The EMS Board generally has regulatory oversight of emergency medical service providers. SB 224 pertains to the powers and duties of the Board.

First, on page 1 of the bill, the membership requirements for the medical advisory council appointed by the EMS Board is amended to only require one EMS Board member be on the advisory council. Current law requires two members of the EMS Board serve on the council.

Second, the bill adds new provisions to K.S.A. 65-6111 granting the EMS Board the authority to impose civil fines as disciplinary measures. Fines could not exceed \$500 for each violation by an individual who receives a certificate from the Board, or \$2,500 for each violation by an ambulance service or sponsoring organization that holds a permit to operate in this state. All fines collected by the Board are to be deposited in the state general fund.

Third, the bill adds new provisions to K.S.A. 65-6111 granting the EMS Board subpoena power in conducting investigations into unlawful conduct. New subsection (d)(3) makes it a class A misdemeanor to disclose any information obtained by the Board for any purposes other than as part of the Board's investigation. Patient records are deemed confidential and their disclosure is prohibited. Also, physician/patient privilege is statutorily waived for purposes of investigations by the Board.

Finally, the EMS Board is to annually report to the Committee on Federal and State Affairs on the amount of fines imposed and the number of subpoenas issued and the reasons for each.

If enacted the provisions of SB 224 become effective on July 1, 2016.