

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairperson Daniel Hawkins at 1:30pm on Wednesday, February 11, 2015, 546-S of the Capitol.

All members were present

Committee staff present:

Scott Abbott, Office of Revisor of Statutes  
Jennifer Ouellette, Legislative Research Department  
Patrick Orr, Kansas Legislative Committee Assistant  
Erica Haas, Legislative Research Department  
Norm Furse, Office of Revisor of Statutes

Conferees appearing before the Committee:

Stuart Little, Little Government Relations; Julie Thomas, owner Imagine Wholeness Massage Therapy Roeland Park, Kansas; Denise Gum, Legislative chairperson Free State Coalition; Mike Koss, Legal Counsel for the Kansas League of Municipalities; Joseph Rubino, Owner Therapeutic Massage & Holistic Health Center; Carrie Collins, President KS Association for Therapeutic Massage & Bodywork; Lynn Stallard, A Shanti Terra Massage Topeka, Kansas; Norm Furse, Revisor of Statutes

Others in attendance:

See Attached List

**Hearing on: HB2123 — Massage therapist licensure act.**

Chairman Hawkins opened the hearing on **HB2123**.

Norm Furse, staff revisor, gave a detailed explanation of this of bill. He then answered questions from the committee.

Chairman Hawkins opened the hearing to proponents.

Stuart Little who represents Kansas chapter of the American Massage Therapy Association testified that it is difficult to regulate those who have not been licensed in the past. This bill is done to gain the support of people who have a wide variety of expertise and or knowledge in massage therapy. The bill sets minimum regulations on massage therapists. Massage therapists would be placed under the Kansas State Board of Nursing (KSBN) because this board has the experience and tools necessary to regulate this business. He answered questions from the committee. (Attachment 1)

Julia Thomas testified that as an owner of a massage studio in Roeland Park, Kansas she cannot serve patients in neighboring towns without purchasing a business license in each of those towns. A state-wide operators license would make her operations much easier and more cost effective. She answered questions from the committee. (Attachment 2)

Proponents submitting written testimony were:

CONTINUATION SHEET

MINUTES of the Committee on Health and Human Services at 1:30pm on Wednesday, February 11, 2015, 546-S of the Capitol.

Marla Hieger, Government relations chair, Kansas American Massage Therapy Association ([Attachment 3](#))

Jean Robinson, Government relations director, Associated Bodywork Massage ([Attachment 4](#))

Les Snyder, Regional director Massage Envy Spa ([Attachment 5](#))

Ronald Garffie Owner Massage Envy Spa in Lenexa & Shawnee ([Attachment 6](#))

Chairman Hawkins closed the hearing to proponents and opened the hearing for opponents to **HB2123**.

Denise Gum, legislative chairperson for the Free State Coalition, testified that we have been against licensure for many years because of what we have witnessed happening in other states as they become licensed compared to the freedoms we have here in Kansas. They start out with the best intentions only to become more restrictive and oppressive as time goes by leaving therapists without work or needing to move to another state. ([Attachment 7](#)) ([Attachment 8](#))

Mike Koss, legal counsel for the Kansas League of Municipalities, testified that the League of Municipalities opposes section 12 of the bill because it preempts a city's ability to maintain professional licensing requirements for massage therapists. ([Attachment 9](#))

Joe Rubino who operates Therapeutic Massage and Holistic Health Center opposes the bill. His firm has never had a complaint lodged against them. He stated that his professional liability insurance would increase drastically hurting his family's financial stability. ([Attachment 10](#))

Opponents stood for questions from the committee.

Opponents submitting written testimony were:

Jessica Phoenix, massage therapist from Kaw Valley Massage in Lawrence, Kansas ([Attachment 11](#))

Thomas Hongso, Chief of Police, Lenexa, Kansas ([Attachment 12](#))

Chairman Hawkins closed the hearing to opponents and opened it to neutral parties.

Carrie Collins, president of the Kansas Association for Therapeutic massage and Bodywork, Inc, testified that massage therapists operate under a strict code of ethics. Her interest in this proposed regulation is to ensure their members may continue their work without undue hardship. ([Attachment 13](#))

Lynn Stallard testified that even though she thinks this bill is the best bill drafted to date. However, she still urges it be rejected or at least amended concerning the make-up of the governing board. ([Attachment 14](#))

Neutral parties stood for questions from the committee.

CONTINUATION SHEET

MINUTES of the Committee on Health and Human Services at 1:30pm on Wednesday, February 11, 2015, 546-S of the Capitol.

Neutral parties submitting written testimony were:

Mary Blubaugh, Executive Administrator, Kansas State Board of Nursing (Attachment 15)

Katie Killen, Assistant City Manager, Shawnee, Kansas (Attachment 16)

There were no additional neutral parties testifying. Therefore, Chairman Hawkins closed the hearing on **HB2123**.

**Discussion & possible action on: HB2119 — Mental health technicians fees.**

*Chairman Hawkins called for final action on **HB2119**.*

Norm Furse, staff advisor, gave an overview of the bill.

*Representative Estes moved to pass out **HB2119** favorably for passage. Representative Concannon seconded. Discussion ensued. Division was called. The motion to pass out **HB2119** favorably was rejected 7 to 9.*

**Discussion & possible action on: HB2120 — Board of nursing reinstatement of revoked licenses and reinstatement fee.**

*Chairman Hawkins called for final action on **HB2120**.*

Norm Furse, staff advisor, gave an overview of the bill.

*Representative Kelly made a motion to pass out **HB2120** favorably. Representative Carpenter seconded. Discussion ensued. Representative Bollier made a motion to amend **HB2120** by changing line 16 application for reinstatement of revoked license from \$1,000 to \$250. Representative Schwab seconded. Discussion ensued. Motion passed.*

*Representative Kelly moved to pass out **HB2120** as amended favorably for passage. Representative Hill seconded. Division was called. Motion passed 9 to 6.*

**Discussion & possible action on: HB2121 — Board of nursing; assistant attorneys general.**

*Chairman Hawkins called for final action on **HB2121**.*

Norm Furse gave an overview of bill.

*A motion to pass out **HB2121** favorably was made by Representative Ward. Representative Houston seconded the motion. Discussion ensued. Motion passed.*

The meeting was adjourned at 2:53pm.