

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairperson Mary Pilcher-Cook at 1:36am on Tuesday, March 17, 2015, 118-N of the Capitol.

All members were present except:

Senator Michael O'Donnell – Excused

Committee staff present:

Iraida Orr, Legislative Research Department

Randi Walters, Kansas Legislative Committee Assistant

Whitney Howard, Legislative Research Department

Renae Jefferies, Office of Revisor of Statutes

Nobuko Folmsbee, Office of Revisor of Statutes

Conferees appearing before the Committee:

Kathleen Selzler Lippert, JD Executive Director, Kansas State Board of Healing Arts

Jerry Slaughter, Executive Director, Kansas Medical Society (KMS)

Doug Smith, Executive Director, Kansas Academy of Physician Assistants (KAPA)

Max L. Foster, Jr., Executive Director, Behavioral Sciences Regulatory Board (BSRB)

Darrel Regier, MD, Research Director, American Psychiatric Association (APA), Vice-Chair, DSM-5 Task Force

Others in attendance:

[See Attached List](#)

Possible action on bills previously heard

Chairperson Pilcher-Cook stated that the committee needed to reconsider a bill that had been passed out of committee.

*Senator Love moved, Senator Kelly seconded, that the committee reconsider its action taken on **S Sub for HB2043--Secretaries for children and families and for aging and disability services; powers, duties and functions.** Motion carried.*

*Senator Love moved, Senator Denning seconded, to remove **SB39--Updating statutory references and making corresponding changes due to 2012 E.R.O. No. 41 from S Sub for HB2043 and to insert SB39, as amended by the Judiciary Committee, to S Sub for HB2043.** After questions were answered, motion carried.*

*Senator Love moved, Senator Kelly seconded, to recommend **S Sub for HB2043** favorably for passage. Motion carried.*

Hearing on: SB285 — Healing arts licensees, resident active licenses and health care records.

Chairperson Pilcher-Cook opened the hearing on **SB285**. Renae Jefferies, staff revisor, reviewed the bill. Ms. Jefferies stated that there is a technical amendment making changes that the bill needed.

[\(Attachment 1\)](#) Chairperson Pilcher-Cook presented a briefing on the House version of this legislation,

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HB2362--healing arts licensees, resident active licenses and health care records. After questions from the committee were addressed, the hearing continued.

Kathleen Selzler Lippert, Kansas State Board of Healing Arts, testified in support of **SB285**. Ms. Lippert highlighted some of the provisions of **SB285** and described those changes. ([Attachment 2](#))

Jerry Slaughter, KMS, testified in support of **SB285**. Mr. Slaughter indicated that this bill is a continuation of the large modernization update of the Healing Arts Act from last year. Mr. Slaughter described some of the provisions included in **SB285** including a "special permit" and language regarding guidelines for access to medical records. ([Attachment 3](#))

Doug Smith, KAPA, testified in support of **SB285**. Mr. Smith addressed some of the provisions included in the bill that relate to physician assistants. Four areas that Mr. Smith addressed were creating a "federally active license"; a new exempt license category for physician assistants; language to authorize physician assistants to sign off on Do Not Resuscitate (DNR) orders when admitting a patient to medical care facilities and adult care homes; and extending the effective date of last year's legislative changes contained in 2014 HB2673 until January 2016. ([Attachment 4](#))

Chairperson Pilcher-Cook closed the hearing on **SB285**.

Hearing on: SB254 — Behavioral sciences regulatory board; licensure of professions.

Chairperson Pilcher-Cook opened the hearing on **SB254**. Nobuko Folmsbee, staff revisor, reviewed the bill.

Max L. Foster, BSRB, testified in support of **SB254**. Mr. Foster indicated that **SB254** is legislation that impacts various statutes administered by the BSRB. He stated that the language in **SB254** standardizes specific regulatory statutes administered by the BSRB as they are applied to the professions regulated by the agency. Mr. Foster provided a brief summary of the changes in the bill. ([Attachment 5](#))

Dr. Darrel Regier, APA, testified in opposition of **SB254** presenting testimony submitted by Saul Levin, MD, MPA, CEO and Medical Director. Dr. Regier stated they were concerned about the deletion of a reference to the Diagnostic and Statistical Manual for Mental Disorders (DSM) which is a common reference point for diagnosis for mental disorders for all of the mental health professions. ([Attachment 6](#))

Chairperson Pilcher-Cook announced due to time restraints, the hearing on **SB254** will be continued tomorrow.

After questions by the committee were addressed, the meeting was adjourned at 2:29 p.m.

The next meeting is scheduled for March 18, 2015.

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