

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairperson Michael O'Donnell at 1:35pm on Thursday, March 17, 2016, 118-N of the Capitol.

All members were present except:
Senator Susan Wagle – Excused

Committee staff present:
Randi Walters, Kansas Legislative Committee Assistant
Scott Abbott, Office of Revisor of Statutes
Iraida Orr, Legislative Research Department
Whitney Howard, Legislative Research Department
Kyle Hamilton, Office of Revisor of Statutes

Conferees appearing before the Committee:
No conferees present

Others in attendance:
[See Attached List](#)

Final action on: SB465 — Use of certain controlled substances to treat binge eating authorized.
Chairperson O'Donnell opened final action on **SB465**.

*Senator Denning moved, Senator Bowers seconded, to recommend **SB465** favorably for passage. Motion carried.*

Final action on: SB456 — Electronic monitoring in adult care homes.
Chairperson O'Donnell opened final action on **SB456**. Scott Abbott, staff revisor, distributed and explained a balloon amendment. ([Attachment 1](#))

Senator O'Donnell moved, Senator Bowers seconded, to adopt the balloon amendment. After some discussion, motion carried.

Discussion ensued. Chairperson O'Donnell indicated that due to the committee's questions and concerns, further action on the bill would be held until a later date.

Final action on: SB477 — Establishing legislative oversight of state psychiatric hospitals.
Chairperson O'Donnell opened final action on **SB477**. Senator Holmes reviewed the bill and discussed a possible amendment. After discussion, Senator Holmes decided not to bring forth an amendment at this time.

*Senator Holmes moved, Senator Kelly seconded, to recommend **SB477** favorably for passage. Motion*

CONTINUATION SHEET

MINUTES of the Committee on Public Health and Welfare at 1:35pm on Thursday, March 17, 2016 in Room 118-N of the Capitol.

carried.

Final action on: SB495 — Eliminating medical assistance coverage for elective induced labor prior to 39 weeks of pregnancy.

Chairperson O'Donnell opened final action on **SB495**. Senator LaTurner distributed a balloon amendment. Scott Abbott explained the amendment. ([Attachment 2](#))

Senator LaTurner moved, Senator Love seconded, to adopt the balloon amendment. Motion carried.

Senator LaTurner moved, Senator Holmes seconded to recommend **SB495** as amended, favorably for passage. Motion carried.

Final action on: SB489 — Hemp oil treatments for specified medical conditions.

Chairperson O'Donnell opened final action on **SB489**. Senator LaTurner distributed a balloon amendment and discussed his recommended changes. Scott Abbott explained the amendment. ([Attachment 3](#))

Chairperson O'Donnell invited Representative John Wilson to address the amendment. After some discussion, Senator LaTurner requested permission for a representative of the Kansas Bureau of Investigation (KBI) to address the amendment. Katie Whisman, Executive Officer, KBI, addressed some of the challenges that have been seen by states who have allowed in-state production. Discussion ensued.

Mr. Abbott suggested one addition for clarification to more accurately reflect the intent of the described amendment. Mr. Abbott's suggested changes would add "located and operating outside of the state of Kansas" after "organization" in the second line of the block on the last page of the amendment. Mr. Abbott stated that this would just be clarification for the Kansas Department of Health and Environment's authority to approve a facility.

Senator LaTurner moved, Senator Denning seconded, to adopt the balloon amendment with staff having technical latitude to make the agreed upon corrections to the amendment. After some discussion, motion carried. Senator Haley voted no and requested his vote recorded.

Senator Denning distributed a balloon amendment and explained that this amendment would say that they have to be employed by a healthcare facility licensed by the state of Kansas. Senator Denning proposed changing "employed by" in the amendment to which Scott Abbott suggested striking "employed by" and inserting "practicing in." Senator Denning agreed to that technical change with the Chair's permission. ([Attachment 4](#))

Senator Denning moved, Senator Bowers seconded, to adopt the balloon amendment with staff having technical latitude to make the agreed upon corrections to the amendment. Motion carried.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES of the Committee on Public Health and Welfare at 1:35pm on Thursday, March 17, 2016 in Room 118-N of the Capitol.

Senator Denning distributed a balloon amendment. Scott Abbott reviewed the recommended changes indicating that there are a number of amendments in this balloon that will not happen because those sections have been stricken in light of the previous amendment. ([Attachment 5](#))

After some discussion, Senator Denning moved, Senator LaTurner seconded, to adopt the balloon amendment with staff having technical latitude to clarify 0.3% to apply to patients under the age of 21 for epilepsy; and, 3% for age 21 or older to apply to all the diagnosis codes and medical conditions that were listed in the original bill. After discussion, the motion carried.

Senator Denning distributed a balloon amendment and explained the recommended changes. ([Attachment 6](#))

Senator Denning moved, Senator Love seconded, to adopt the balloon amendment. Motion carried.

Senator Denning distributed a balloon amendment and discussed his recommended changes. Scott Abbott explained the amendment. ([Attachment 7](#))

After some discussion, Senator Denning moved, Senator LaTurner seconded, to adopt the balloon amendment. Motion carried. Senator Haley voted no, and requested his vote recorded.

Following discussion, Chairperson O'Donnell moved, Senator Denning seconded, to recommend SB489 as amended with staff having large latitude for technical corrections and clarifications. Following discussion, with permission from the second, Chairperson O'Donnell withdrew his motion to allow Senator LaTurner to offer a conceptual amendment.

After explaining the conceptual amendment, Senator LaTurner moved, Senator Bowers seconded, to amend SB489 conceptually to have 1% tetrahydrocannabinols (THC) for adults 21 and over, and 15% cannabidiol (CBD) minimum requirement for everyone. Motion carried. Senator Kelly requested her pass vote be recorded.

Chairperson O'Donnell moved, Senator Bowers seconded, to recommend SB489 as amended, with staff having latitude for technical corrections and clarifications, favorably for passage. Motion carried. Senator Kelly requested her pass vote be recorded.

Final action on: HB2571 — Licensure renewal of community mental health centers.

Chairperson O'Donnell opened final action on **HB2571**.

Senator LaTurner moved, Senator Haley seconded, to recommend HB2571 favorably for passage and be placed on the consent calendar. Motion carried.

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CONTINUATION SHEET

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Chairperson O'Donnell requested approval of minutes. Senator LaTurner moved, Senator Love seconded, that the minutes for March 7, 8, and 9, 2016, be approved as presented. Motion carried.

The meeting was adjourned at 2:35 p.m.

The next meeting is scheduled for March 21, 2016.