

MINUTES OF THE HOUSE VISION 2020 COMMITTEE

The meeting was called to order by Chairman Tom Sloan at 1:30 p.m. on January 20, 2010, in Room 785 of the Docking State Office Building. He extended special greetings to Representative Meier who recently returned from a year long tour of duty in Iraq.

All members were present except:

Representative Sean Gatewood- excused
Representative Pat George- excused
Representative Joe Seiwert- excused
Representative Kay Wolf- excused

Committee staff present:

Art Griggs, Office of the Revisor of Statutes
Doug Taylor, Office of the Revisor of Statutes
Corey Carnahan, Kansas Legislative Research Department
Lauren Douglass, Kansas Legislative Research Department
Mary Koles, Committee Assistant

Conferees appearing before the Committee:

Dr. Ryan Spaulding, Center for Telemedicine and Telehealth, KU Medical Center
Chad Austin, Kansas Hospital Association
Dale White, Horton Community Hospital
Kristen Kellems, Office of Revisor of Statutes
Tracy Streeter, Kansas Water Office
Greg Foley, State Conservation Commission
Dr. Ed Martinko, Kansas Biological Survey
Richard Cram, Department of Revenue

Others attending:

See attached list.

Chairman Sloan welcomed today's presenters and conferees and asked that questions be held until the telemedicine group completed their presentations.

Dr. Ryan Spaulding, Director, Center for Telemedicine and Telehealth, KU Medical Center (Attachment 1), discussed several current and newer telemedicine/telehealth services and stressed the need for uniformity and clarity in insurance coverage.

Chad Austin, Vice President, Government Relations, Kansas Hospital Association (Attachment 2), reported the number of hospitals utilizing the Kan-Ed network increased from forty-two (42) in January, 2009, to eighty (80) today. He noted the tremendous future of telemedicine in the health care delivery system, especially in rural areas.

Dale White, CEO, Horton Community Hospital, observed there is more awareness across the state and nation about telemedicine - the concept, practices, benefits, and needs. Telemedicine, he pointed out, could be very beneficial for our returning veterans who experience posttraumatic stress disorder, especially those residing in rural areas. He stated that reimbursement and uniform payment are crucial issues for those providing telemedicine services and must be addressed.

Questions were asked and comments made by Representatives Don Svaty, Mario Goico, and Deena Horst.

Hearing on:

HB 2428 - Creating the Kansas reservoir sustainability fund

Kristen Kellems, Office of Revisor of Statutes, provided an explanation of HB2428 and discussed the balloon amendment proposed by the Department of Revenue: strike the first two (2) sentences of Section 2(c) and insert, "Such fee shall be paid, administered, enforced and collected in the manner provided for the fee imposed by subsection (a)(1) of K.S.A. 82a-954, and amendments thereto."

CONTINUATION SHEET

Minutes of the House Vision 2020 Committee at 1:30 p.m. on January 20, 2010, in Room 785 of the Docking State Office Building.

Representatives Tom Hawk and Doug Gatewood asked questions.

Proponents:

Tracy Streeter, Director, Kansas Water Office (Attachment 3), testified in support of **HB 2428** and submitted written suggestions for language changes to be considered in **HB 2428**. Following Director Streeter's testimony, Representatives Tom Hawk and Doug Gatewood asked questions. Answers and discussion followed.

Greg Foley, Director, State Conservation Commission (Attachment 4), gave testimony in support of **HB 2428**. He mentioned the Banner Creek Watershed, a poster child for his agency, which was removed from the impaired water list. Representative Tom Hawk asked a question following his testimony.

Dr. Ed Martinko, State Biologist and Director of the Kansas Biological Survey (Attachment 5), provided detailed testimony in support of **HB 2428**. Visuals supported his written testimony. Representative Don Svaty asked questions following Dr. Martinko's testimony.

At Chairman Sloan's request, Director Streeter described the relationship of the Kansas Water Authority with the various state agencies.

Neutral:

Richard Cram, Director of Policy and Research, Department of Revenue, offered neutral testimony for **HB 2428** and explained the rationale for the balloon amendment proposed by the Department of Revenue.

Chairman Sloan asked if others wished to offer testimony on **HB 2428**; there were none. The hearing closed.

The Chairman announced the Committee will work **HB 2428** on Monday, January 25.

The next meeting is scheduled for January 25, 2010.

The meeting was adjourned at 2:45p.m.

Guest List

House Vision 2020 Committee

January 20, 2010

Name	Client/Authority
Scott Carlson	SCC
Ryan Spaulding	KACTT
Richard Cram	KDOZ
Ed Martinko	KBS
Jerry deNoyelles	KBS
Mark Heim	SKUD
Jennifer Light	Intern for Rep Horst
Carolyn Applegate	Norton Co. Commissioner
Kent Astrey	Ks Farm Bureau
Chris [unclear]	KHA
Matt Casey	BBA
Sean Miller	CAPITOR STRATEGIES
Julie Heim	Heim Law Firm
T. Bothering	Westar
Nathan Eberline	LKM
Dmeese	WaterOne
Jessie Brooks	Intern for Rep Sloan

Testimony from
Ryan Spaulding, PhD
Director, Center for Telemedicine and Telehealth
KU Medical Center
before the
Vision 2020 Committee
January 20, 2010

Good afternoon Chairman Sloan, members of the committee. My name is Ryan Spaulding and I am the Director of the Center for Telemedicine and Telehealth at the University of Kansas Medical Center. I want to emphasize that the perspectives in this testimony represent the views of the Center for Telemedicine and Telehealth and do not represent the official policy of the University of Kansas Medical Center or the views of university administration.

As you may recall from last year's briefings, the Center has been active in telemedicine in Kansas for 19 years, not only providing telemedicine services but also conducting research and serving as a telehealth resource for interested stakeholders in Kansas, other states and even other countries. In these service and resource roles, we have become familiar with the many ways that telemedicine can benefit rural patients and local communities. We have also become aware of the many issues that either advance or hinder telemedicine growth.

Last year we provided clinical telehealth services to over 5,000 patients and family members in Kansas, including consultations in TeleCardiology, TeleKidcare (pediatrics), TeleMental Health, TeleOncology, TeleStroke and many other specialties. With two of our latest federal projects, we will be providing telehealth services for children with epilepsy and older Kansans in both nursing homes and correctional facilities. We also are involved in a home telehealth monitoring project in Coffeyville and expect home telehealth to expand rapidly nationwide. In addition, it is our understanding that Stormont Vail in Topeka is also now implementing a telemedicine program. In short, there are many telehealth activities taking place in Kansas and we have recently seen a great deal of interest and excitement surrounding telemedicine. We truly believe that this is just the beginning of a more rapid advancement of the field, partly driven by the ability of telemedicine to provide health care access and to help address health professional shortages, while also providing economic benefits to patients and community hospitals.

Over the years we have worked on many telehealth challenges, and perhaps the most consistent challenge has been to achieve uniform insurance coverage for telemedicine. Medicare, Medicaid and some private insurers reimburse for telemedicine; and Blue Cross/Blue Shield of Kansas has been a national leader in telemedicine coverage. However, not all insurers cover telehealth and sometimes the policies are not clear. This makes it confusing for providers and patients to engage in telehealth. We know from experience that insurance coverage for telemedicine is not a driver of telemedicine activity but lack of coverage can certainly be a barrier. Thus, the KU Center for Telemedicine and Telehealth supports efforts that increase access and clarity to telehealth services for Kansans in their home communities.

Thank you for the opportunity to address the committee, I'll be pleased to answer any questions.



Tom Bell
President and CEO

January 20, 2010

TO: House Vision 2020 Committee

FROM: Chad Austin
Vice President

SUBJECT: Report on Telehealth Services

The Kansas Hospital Association appreciates the opportunity to share with the committee happenings involving telehealth since the end of the 2009 legislative session. As the committee heard during the discussions in 2009, telehealth services may be used in a wide-range of environments and provide a variety of benefits to Kansans.

Broadly defined, telehealth is the use of electronic information and telecommunications technologies to support long-distance clinical health care, patient and professional health-related education, public health and health administration. The transfer of information using modern technology may be accomplished in several ways, including utilizing those broadband services provided through the Kan-ed network. The Kan-ed network continues to allow many Kansas community hospitals to connect with other locations to provide telehealth services. Not only do all Kansas hospitals have the ability to connect to the Kan-ed network, but Kan-ed continues to offer limited grants to participants for the purchase of equipment. Since the beginning of 2009, the number of Kansas community hospitals utilizing the Kan-ed network has increased from 42 locations to 80 locations. Continued funding support for the Kan-ed network will directly assist Kansas communities in taking steps to be better equipped to handle future technologies, including those relating to telehealth services.

Further, the recent HIT efforts on the local and state level will also strengthen the infrastructure needed for effective telehealth. These initiatives will serve to increase the state's reliance on telehealth for continued and expanded access to critical services. The state's HIT/HIE Strategic Operational Plan under developed and required by the American Recovery and Reinvestment Act (ARRA) will include telehealth in it's infrastructure work.

House Vision 2020
1-20, 2010
Attachment 2

Providing health care services via telehealth offers many advantages. No longer is it necessary for a physician to treat a patient in person; nor is it needed for a rural resident to drive across the state in order to access specialty health care. Telehealth opens up additional possibilities for the management of chronic conditions and the education or training for rural health practitioners. The benefits extend beyond the patient and provider. Kansas communities benefit because it keeps health care dollars within the local economy and serves as a valuable recruitment and retention tool for businesses. It also serves as a benefit for employers since employees may have less "loss work" time since health care services may be delivered locally. In addition, insurance carriers may realize benefits of telehealth through the early detection of illnesses for beneficiaries as well as a marketing advantage over those insurance carriers that do not offer the benefit.

Despite the benefits of telehealth, there still are still several barriers to overcome; many of these include financial constraints, legal issues, reimbursement, and cultural issues. Through collaboration and education, these barriers will be reduced, or possibly eliminated. The future of telemedicine's role in the health care delivery system is tremendous, especially in a rural state like Kansas. It is essential that we keep our rural communities viable and healthy. Telemedicine services contribute significantly to doing just that.

I would be happy to stand for any questions.

**Testimony on HB 2428
to
House Vision 2020 Committee**

**by Tracy Streeter
Director
Kansas Water Office
January 20, 2010**

Chairman Sloan and members of the Committee. I am Tracy Streeter, Director of the Kansas Water Office. I am pleased to appear before the Committee to discuss House Bill 2428 and its relation to water supply storage in our reservoirs.

Last session, I and others appeared before this committee to discuss water supply, the state's reservoir system, and the impact of sedimentation on our ability to meet current and future demands. This committee asked the Kansas Water Authority to return this session with a report and recommendations on how to deal with these issues. The Kansas Water Authority is scheduled to meet here in Topeka next week to finalize that report, commonly referred to as the "Reservoir Roadmap".

While I can't give you all of the details and recommendations from the report until it has been approved, let me highlight a few of the findings. Sedimentation in our reservoirs is a serious and growing issue. Our ability to meet the state's growing demand will be compromised if we do not begin to take action soon. There is opportunity and need for additional watershed protection and restoration above all of our federal reservoirs. Additional water supply storage will be needed in some basins in the next 30 to 50 years to meet demand. This additional storage will take the form of additional reservoirs or removal of accumulated sediment in existing lakes.

It will come as no surprise to you that any and all of the options that have been identified will take financial resources to implement. As we look out over the next 40 years, the financial need will grow from the few million per year we spend now to tens or hundreds of millions. While HB 2428 will not raise all of the revenue needed to accomplish this long term task, it accomplishes two important goals.

First, our work in developing the Reservoir Roadmap has illustrated that over the past 30 years, we have fallen far behind in our data collection and our assessments of water supply and reservoir systems. The project recommendations that you will see in the Roadmap are preliminary at best. We need to dedicate additional staff and financial resources to this effort to better identify and target projects that will result in protection of our existing water supply and development of new resources for the future.

Testimony on HB 2428

**Kansas Drinking Water Supply Lakes Sustainability Fund
to**

The Vision 2020 Committee

**by Greg A. Foley
Executive Director
State Conservation Commission**

January 20, 2010

Chairman Sloan and members of the Committee, thank you for the opportunity to testify in support of HB 2428. The State Conservation Commission (SCC) is responsible for implementation of many natural resource protection programs. The Kansas Water Plan has identified multiple initiatives to protect, enhance and restore drinking water supply lakes in Kansas. The SCC administers existing programs to prioritize best management practices that reduce sedimentation of federal reservoirs and total maximum daily loads.

The Kansas Drinking Water Supply Lakes Sustainability Fund will impose a \$.03 per 1,000 gallons of water sold at retail by a public water supply system. This proposal would require the SCC to recommend and approve expenditure of program funds by the Kansas Water Office with the Kansas Water Authority and the Kansas Biological Survey. The SCC would also approve remediation plans with the consensus of the Kansas Water Authority, Kansas Water Office, Kansas Department of Wildlife and Parks and the Kansas Biological Survey. The SCC believes the language of HB 2428 could allow expenditure for multiple types of projects that may include streambank stabilization projects. The agency believes that streambanks in Kansas are a major contributor in the total sediment loads entering existing water supply lakes. As funding becomes available, the strategy to implement streambank protection project for an entire watershed or significant portions of a watershed may prove to be priceless. The assessment, study and evaluation components of the bill could provide extremely valuable data for future lake and reservoir protection.

The State Conservation Commission supports HB 2428 and applauds the Committee's 20/20 vision and your recognition of funding needs for the future sustainability of Kansas surface drinking water supplies.

Chairman Sloan and members of your committee, thank you for the opportunity to appear before your Committee today. I will stand for questions at the appropriate time.

cc: SCC Commissioners

House Vision 2020
1-20, 2010
Attachment 4

**Comments to
House Vision 2020 Committee
Regarding HB 2428
Submitted by: Kansas Biological Survey
January 20, 2010**

Chairman Sloan and members of the Committee, my name is Ed Martinko. I am the State Biologist and Director of the Kansas Biological Survey, and I would like to thank you for the opportunity to speak before the committee. The Biological Survey is a research and service unit of the University of Kansas and a non-regulatory agency of the State.

Water is fundamental to the economy of Kansas. The need for water infuses and permeates every aspect of life in our state, from the irrigation that supports our agriculture, to the drinking water that our citizens use every day in their homes and places of work. Indeed, nearly 60% of Kansas citizens rely on surface water supplies for their drinking water. Because Kansas has so few natural lakes, over time our citizens have constructed thousands of reservoirs across the state, from small farm ponds to the great federal reservoirs that collectively provide multiple economic benefits in the form of drinking water, irrigation, flood control, and recreation. Reservoirs are critical infrastructure that provides economic returns that far exceed the billions of dollars (over \$6 billion in 2010 dollars) that have been invested to build these lakes in the state.

The state is now facing an enormous challenge as it attempts to respond to increasing needs for water, coupled with an increasing occurrence of water quality problems affecting reservoirs within the state. Most Kansas reservoirs were constructed an average of 40 years ago, and are gradually filling with sediment washed down from their watersheds. As reservoirs silt in, less water is available for irrigation, industry, recreation, and as drinking water for our citizens. Furthermore, sediment accumulation continues to create water quality problems and promote algae outbreaks that kill fish, pollute the water, and lead to foul tasting drinking water. Triggered by reservoir siltation, these environmental effects ripple outward as direct and indirect economic consequences for industry, agriculture, and municipalities in the state.

Many Kansas reservoirs are silting in faster than originally anticipated; several are silting in two to three times faster than expected. Six of the twenty federal reservoirs that are used as drinking water supplies are more than 20% silted in; four of the twenty are more than 40% silted in. Since its construction in 1969, Perry Lake in Jefferson County has lost over 1000 acres of surface area due to sedimentation, and it doesn't even make the "Top 5" list. It's estimated that nearly half the capacity of John Redmond Reservoir has been lost since it was built a few decades ago....and we need John Redmond for water now more than ever before. Under drought conditions, water demands could outstrip supplies in the Neosho River Basin by the year 2012, according to projections prepared by the Kansas Water Office.

We have seen these scenarios unfold recently in other states, most notably in Texas, Georgia and California. In Georgia, the 2008 drought lowered Lake Lanier, a principal water supply for Atlanta, to unprecedented levels for nearly two years and touched off conflicts among cities, states, and the federal government over water. In California, a sustained drought has dried out the state's reservoirs to the extent that some of these lakes have not had normal water levels since 2006, leading to water rationing, abandoned farm fields, delayed development plans, and a declaration of

a state of emergency by the governor. Back home in Kansas, Kanopolis Lake was reduced to less than half its normal storage for six months in 2006.

Not only are we losing the ability to store water in our reservoirs during a time of increasing need, the quality of that water is threatened as well. Reservoir sedimentation packs a one-two punch – it steals your water, and ruins what's left. Consider Marion Reservoir, the water supply for the cities of Hillsboro and Marion. In 2003, Marion Reservoir was afflicted by an algae bloom so severe that drinking water intakes had to be shut down for three weeks and water rationing imposed. This was the first time that the reservoir had experienced such a huge algae bloom since it was constructed in the 1960s; and it has happened again since the 2003 incident. Why did it happen in 2003 and not before? What causes these algae blooms that impair our drinking water? Will it happen again, and when? Unfortunately, at this point in time we don't have the answers – and we've only just begun to assemble the data and information that may lead us to some answers.

The City of Wichita, which draws a large part of its water from Cheney Reservoir, has struggled with the quality of that water for years. In the past decade, Wichita has expended over \$10 million for treatment plant changes and a new ozone plant to deal with repeated episodes of foul-smelling and tasting drinking water. The City of Lawrence has battled taste-and-odor issues in the water it draws water from Clinton Reservoir that could lead to an estimated \$500,000/year in potential additional costs for continuous drinking water treatment. For small communities, these costs are simply prohibitive.

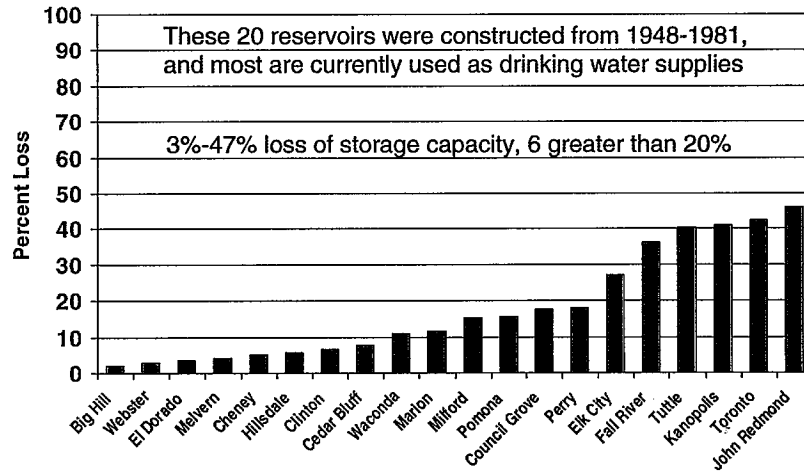
We cannot hope that others will do the job for us. Until the Biological Survey began its program of bathymetric surveys in 2007 under funding by the Water Office, many of the big federal reservoirs in the state had not been surveyed for decades. Sedimentation, unfortunately, moves at a faster pace than that in our state – I cited the example of Perry Lake that lost nearly 1000 acres of surface area to siltation just in the 30 years since it was built. And as for reservoirs owned by the state or local municipalities.....most, if not all, have never been surveyed and no one knows how much water is in them or how fast they're silting up.

Reservoir impairment already has cost local governments millions of dollars in increased water treatment costs and lost economic opportunities. There is also a growing awareness of the issues related to the long-term viability of these reservoirs and the renovation actions that will become increasingly necessary. Reservoirs are being managed more intensively now than in the past as water resource managers strive to balance multiple, and often conflicting, uses for the resource. At a time when there is increasing pressure on our state's reservoirs for drinking water, for irrigation, flood control, and recreation, we fundamentally have only a fragmented picture of the current status of our lakes, how they are changing, and what drives those changes that threaten those water supplies. Kansas cannot afford to lose the vital functions that reservoirs provide to the state.

We need to understand the challenges facing our reservoirs and prepare for future water allocations, even in the face of drought. HB 2428 will provide the opportunity to establish a strong information base for our reservoirs so that we can understand and address past, present, and future trends in our drinking water supplies.

Again, thank you for the opportunity to speak before the committee, and I would be happy to answer any questions you might have.

Kansas Federal Reservoirs Loss of Capacity, Multi-Purpose Pool



Kanopolis Lake, 2006-2007

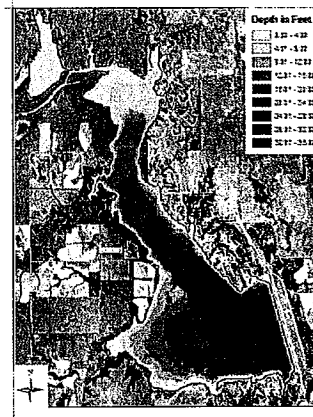
April 2006



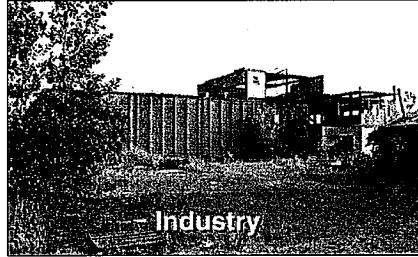
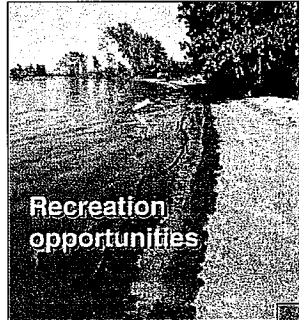
November 2007



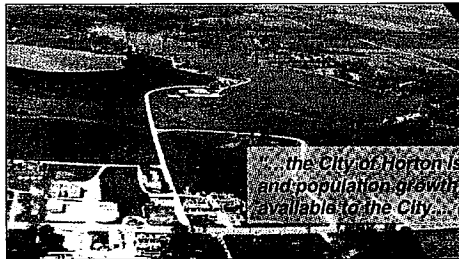
Water levels were
25 - 50% below normal,
November 2005-March 2007



Direct and indirect economic consequences of siltation in our reservoirs may well exceed the flood control value

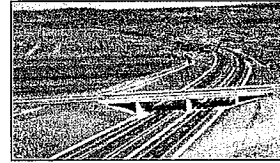


Reservoirs should be thought of as critical economic infrastructure: a multi-billion dollar investment



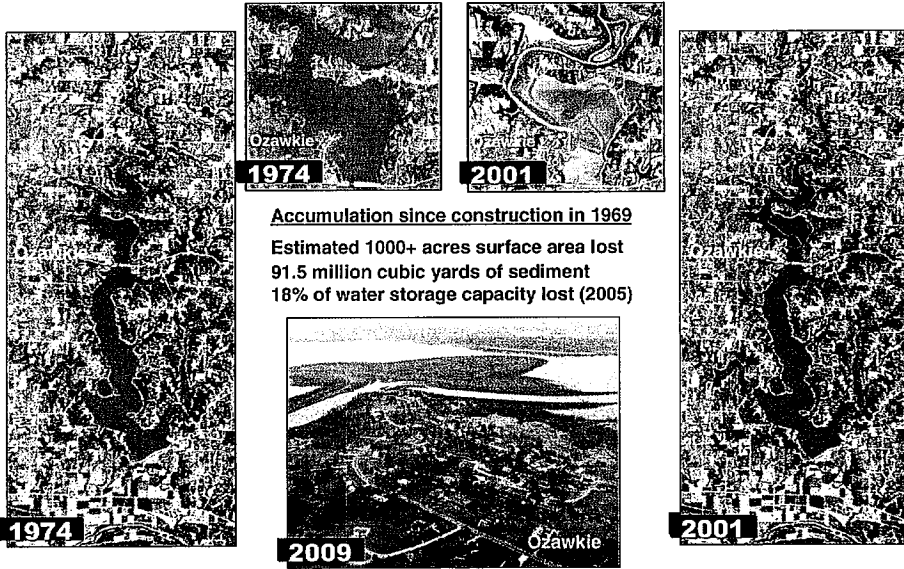
the City of Horton is going to be limited in economic and population growth by the amount of water that is available to the City. (City of Horton, 2006)

By comparison:



"Area transportation planners have identified \$732 million worth of road projects needed in Douglas County between now and 2030." (Lawrence Journal-World, 2/2/08)

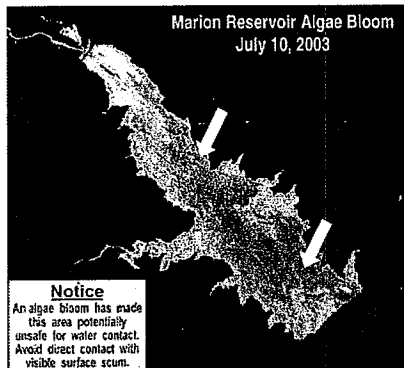
Case Study: Perry Lake Upper Basin Sedimentation



Problems triggered by sedimentation can affect thousands of Kansas citizens

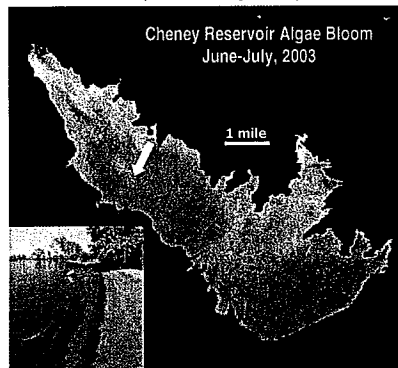
"Following a three-week ordeal with anabaena algae in the Marion Reservoir, the water plants in Hillsboro and Marion were able to restore service in early July."

(Kansas Municipal Utilities Newsletter, August 2003)



Color-infrared satellite imagery detects algae blooms, shown in red on images.

"Sick of that musty, earthy odor that has become all too familiar in Wichita's tap water?"
(Wichita Eagle, July 20, 2003)

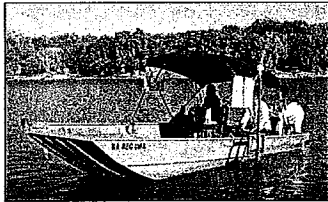


What is the status of our reservoirs ?

Current capacity ?

How much capacity has been lost ?

Sedimentation rates can be measured by repeated reservoir depth mapping



Aerial view



Survey transects



10-ft sediment core
Mission Lake, 2007

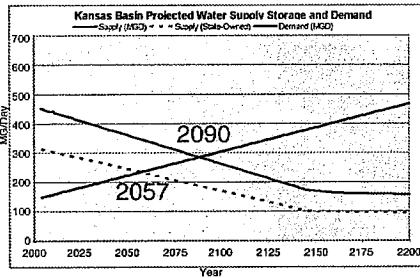


Depth contours



3-D visualization

How much time do we have left?



Lots of time....



...Not much time

