

## MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairperson Susan Wagle at 1:30 p.m. on February 5, 2004 in Room 231-N of the Capitol.

All members were present except:

Senator Chris Steineger- excused  
Senator James Barnett- excused  
Senator Nick Jordan- excused  
Ms. Emalene Correll, Legislative Research - excused  
Mr. Norm Furse, Revisor of Statutes - excused

Committee staff present:

Mrs. Diana Lee, Revisor of Statutes  
Ms. Margaret Cianciarulo, Committee Secretary

Conferees appearing before the committee:

Ms. Paula Marmet, Director, Office of Health Promotion, KDHE

Others attending:

Please See Attached List.

### **Hearing on SB 366 - an act concerning the cancer registry**

The Chair opened the meeting by announcing to the Committee there would be a hearing on **SB 366**, an act concerning the cancer registry, relating to the definition of health care provider and parties required to report to the registry.

She then called upon the only proponent conferee to testify, Ms. Paula Marmet, Director, Office of Health Promotion, KDHE who said that they support the bill, which will remove the exemption for physicians (persons licensed to practice medicine and surgery) to report cancer cases to the state cancer registry. She stated that hospital reports indicate that the number of reported cases have decreased due to physicians moving out of the hospital-based setting into private practices, thus diminishes the ability of the state to conduct cancer cluster investigations with a high degree of reliability. Also, the registry operation is dependent upon federal grant funding, which specifies that 90% or more of all expected cancer cases be reported within 1 year of diagnosis and 95% be reported with 2 years of diagnosis.

Ms. Marmet said that routinely the registry staff contact physicians to obtain missing information of cases that are reported by an institution and that, of those that did not respond, the most common reason stated for not reporting proactively to the registry was due to fear of potential lawsuits because of the specific exemption contained in state statute. And lastly she said with cancer being the second leading cause of death in Kansas, accounting for 22% of deaths in 2001, having a reliable population-based data on cancer incidence is imperative in order for science to continue to improve the knowledge about cancer and for the state to respond effectively in its efforts in prevention and improvement of early detection and treatment.

As there were no opponents, neutral conferees, or written testimony, Chairperson Wagle asked for questions or comments from the Committee. Questions came from Senators Salmans, Wagle, and Brungardt ranging from dealing with fear of lawsuits (ex. Giving to much information), is there any quick application to obtain the data, margin of error, can this information be taken from birth/death certificates, are you tracking reoccurrences, are you obtaining treatment information, are there restrictions on data for follow-up data, does this information go into a national database and where is/are they located, clarification on methodology, will you still take information from labs, to return on investment.

### **Adjournment**

The meeting was adjourned at 2 p.m. with the next meeting scheduled for Monday, February 9, 2004.