

Approved: May 10, 2002
Date

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE.

The meeting was called to order by Chairperson Senator Susan Wagle at 1:30 p.m. on March 7, 2002 in Room 231-N of the Capitol.

All members were present except:

Committee staff present: Ms. Emalene Correll, Kansas Legislative Research Department
Ms. Lisa Montgomery, Revisor of Statutes
Ms. Margaret Cianciarulo, Administrative Assistant

Conferees appearing before the committee: Dr. Loren Phillips, Director, KDHE

Others attending: See attached guest list.

Final Action on SB630 - an act concerning the Kansas Dental Board

Upon calling the meeting to order, Chairperson Wagle announced that before the hearings she would like to work the above bill that was heard in yesterday's Committee meeting. Senator Brungardt motioned that the bill be moved out favorably as is amended and put it on the consent calendar. Senator Jordan seconded the motion and the motion carried.

Hearing on HB2718 - an act concerning vital statistics records, including certification of birth, death, adoption, marriage, and divorce, and the manner in which the Department of Health and Environment makes records it maintains available to eligible Applicants

The Chair then announced they would be hearing two bills from KDHE, the first being **HB2718**. She then asked Mr. Norm Furse, Revisor of Statutes, to give an overview of the bill. Highlights of his overview included: the bill relating generally to vital statistics record keeping, allows issuants not only a certified copy in lieu thereof an abstract copy could be issued, incorporating two sections that were enacted last year and did not get pulled together, and two technical changes: 1) page 1, lines 24 and 30 (striking 65-2422 and adding 65-2422d); and 2) page 2 line 43, typo error (state treasure changed to state treasurer).

Following Mr. Furse's overview, Chairperson Wagle then called upon the one proponent to testify before the bill, Dr. Lorne Phillips, Ph.D., Chairman of the Health Care Data Governing Board and Director of the Center for Health & Environmental Statistics, KDHE who said what they are requesting with this proposed legislation, is to have the authority to issue both certified abstracts and certified copies of vital records, specifically authorizing the State Registrar to furnish to any eligible applicant the certified abstract or a certified copy of any of the vital records (birth, death, marriage, divorce, or fetal death). He stated they are currently only authorized to issue certified copies. He also provided three positives of issuing abstracts electronically. A copy of his testimony and attachments are (Attachment 1) attached hereto and incorporated into the Minutes by reference.

As there was no opponent or written testimony, he stood before the Committee for questions. Senator Haley and Ms Correll asked questions relating to social security numbers of parents on a birth certificate, birth/death match, funeral directors providing information, concerns with the electronic signatures ensure witnessing and are other means being considered, and finally, a list of required signatures of authority required for births and deaths.

As there were no more questions, the Chair announced the hearing closed.

Hearing on HB2733 - an act concerning presumptive death, relating to persons absent for catastrophic events and disasters

Again, Mr. Norm Furse was called upon to give an overview of the bill. Highlights of this overview included: involving a broader area of scope than just the vital statistic bill, blending the state of Kansas absentee act with this bill, 5-year period of absence before presumed to be dead; if no search and after five years the District Court could take action, new language, new section 2 sets out and defined events, definition of "a catastrophic event", state of emergency and state of a war emergency, addition of the word "abstract", and the absent states act.

As he stood before the Committee, questions were asked of him from Senator Salmans to include: MIA & POW situations - who declares the death and the time and is the state responsible if a KS citizen, language on page 3 lines 12-20, U.S. Department of Defense to wait for estate to be terminated for three years, and the state of a war emergency.

The Chair then again recognized the only proponent to testify, Dr. Lorne Phillips, Ph.D., Chairman of the Health Care Data Governing Board and Director of the Center for Health & Environmental Statistics, KDHE who stated this legislation would establish a mechanism to authorize state officials to file a presumptive death certificate in the event of a catastrophe in which a body for an individual cannot be found. He also proposed an amendment to establish a procedure to declare a catastrophic event that will supersede the provisions in K.S.A. 59-2704 which requires that an absentee is presumed dead if they have not been heard from for a period of five years and if a diligent search has been conducted. He stated the procedure would shorten the time period for declaring an individual deceased and allow for the registration, certification and issuance of death certificates. A copy of his testimony is (Attachment 2) attached hereto and incorporated into Minutes by reference.

As there were no opponents or written testimony, questions from Senator Barnett and Salmans regarding interference with monies allowed families, year time period law, and parts of estate where liens against it.

Adjournment

Adjournment time was at 2:30 p.m.

The next meeting is scheduled for March 12, 2002.

CONTINUATION SHEET