

## MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman Jim Barnett at 1:30 p.m. on February 26, 2009, in Room 136-N of the Capitol.

All members were present.

## Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes  
Doug Taylor, Office of the Revisor of Statutes  
Kelly Navinsky-Wenzl, Kansas Legislative Research Department  
Terri Weber, Kansas Legislative Research Department  
Jan Lunn, Committee Assistant

## Conferees appearing before the committee:

Robert Waller, Executive Director - Kansas Board of Emergency Medical Services  
K. C. Jones, Kansas Chapter of the Association of Air Medical Services

## Others attending:

See attached list.

Nobuko Folmsbee briefed those attending on **SB 220 - Emergency medical services, changing attendants from certified to licensed**. This bill authorizes the Board of Emergency Medical Services to adopt rules and regulations on requirements for quality assurance and improvement programs for ambulance services; it changes certification to licensure for attendants, training officers and instructor-coordinators; it creates grandfather clauses for attendants who hold permits and ambulance services that hold permits. The bill creates definitions for professional incompetency; it provides responsibility for monitoring attendant education to a medical director; it adds additional grounds for revocation, denial, or license limitation for an operator who engages in unprofessional conduct; it adds additional grounds for revocation, denial or license limitation when an attendant has been publicly or privately censured or had other disciplinary actions in other jurisdictions; it establishes the complaint investigation process; it establishes the rules on testifying before the board; it establishes accountability for costs of board proceedings; and it makes necessary technical changes.

Senator Barnett recognized Robert Waller, director of the emergency medical services board, who testified the board had reviewed all statutes and regulations under its authority, and this bill provides clarification of existing authorities granted to the board (Attachment 1).

Several senators questioned the language on page 13, line 29 through line 35, section "c" in which it appears that an individual's Fifth Amendment rights could be affected. Mr. Waller replied that it was not the board's intent to restrict Fifth Amendment rights, and that section would require revision. Senator Pilcher-Cook requested clarification relative to the words "aiding, abetting and violation" compared to "unprofessional conduct" on page 12, section 14, subsection (a), number 6 and 7. Mr. Waller suggested revision of those lines.

A balloon amendment was distributed for Section 16 on page 14, section "b" in which the word "ground ambulance" was inserted in order to differentiate that staffing levels referred to in this section exclude air ambulance operators.

Senator Schmidt requested a revision to include a date certain for rules and regulations. In addition, Mr. Waller was asked whether the Board of Emergency Services had contacted the Kansas Department of Health and Environment to undergo the credentialing process through the Kansas Health Occupations Credentialing Act for emergency services personnel. Mr. Waller responded that he was unaware of an existing credentialing process in statute.

K. C. Jones, representing the Kansas Chapter of Air Ambulance Medical Services, indicated support of the proposed legislation with the insertion of "ground ambulance" in section 16 (b), line 17 (page 14). (Attachment 2) This ensures the staffing levels described apply only to ground ambulance services and not air ambulance medical services.

Chairman Barnett called attention to written testimony submitted by Jon E. Friesen, President of the Kansas

## CONTINUATION SHEET

Minutes of the Senate Public Health And Welfare Committee at 1:30 p.m. on February 26, 2009, in Room 136-N of the Capitol.

EMS Association, (Attachment 3).

Chairman Barnett summarized existing issues with the proposed legislation (in its current form,) are:

- a) credentialing health occupations under KAR 28-60-1 through the Kansas Department of Health and Environment
- b) inserting a date certain for rules and regulations
- c) revising section(s) regarding fifth amendment rights.

Senator Barnett adjourned the meeting at 2:04pm.

The next meeting is scheduled for February 27, 2009.