

MINUTES OF THE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman Vicki Schmidt at 1:00 p.m. on February 16, 2011, in Room 546-S of the Capitol.

All members were present.

Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes
Katherine McBride, Office of the Revisor of Statutes
Melissa Calderwood, Kansas Legislative Research Department
Iraida Orr, Kansas Legislative Research Department
Carolyn Long, Committee Assistant

Conferees appearing before the Committee:

Kevin Robertson, Executive Director, Kansas Dental Association
Dr. Cindi Sherwood, DDS, Independence
Katherine Weno, KDHE
Tanya Dorf Brunner, Oral Health Kansas
Dr. Brett Rouff, DDS, Newton
Dr. Betty Wright, Kansas Dental Board
Sandra Wilkes, Kansas Association of Oriental Medicine
Sue Britt
Dr. Richard Yennie, Acupuncturist, chiropractor
Dr. Dominador T. Perido, jr., Surgeon, Family Practice
Dan Morin, Kansas Medical Society

Others attending:

See attached list.

The Chair opened the hearing on **SB 132—Dental care; increasing availability and access to dental care.** Staff explanation stated that this bill would create the Kansas Comprehensive Oral Health Initiative Act. Under the Act, the Kansas Health Policy Authority (KHPA) would be required to include dental coverage for all Medicaid beneficiaries. It would also establish the Kansas Dentistry Bridging Loan program, located within and administered by the KDHE. It would provide loans of \$10,000 to students who commit to locating their practices in rural Kansas. Finally, students who receive the Kansas in-state tuition rate as part of an agreement with the Kansas Board of Regents would be required to provide dental services in Kansas for a minimum of four years after graduation.

Kevin Robertson, Executive Director of the Kansas Dental Association, believes that all Kansans deserve access to quality oral health care and to a dentist to provide for their comprehensive oral health needs. This legislation is a comprehensive approach to improving dental care to Kansans through increasing the supply of dentists available and by using the existing infrastructure to allow dental hygienists to deliver more care without a dentist being present. It expands dental Medicaid to include all eligible adults, reinstating funding for the Donated Dental Services program for disabled and elderly Kansans that was cut in FY 2010 (Attachment #1).

Dr. Brett Rouff, DDS, Newton, re-emphasized the comments made by Mr. Robertson and added that another issue with the Medicaid system is the difference in reimbursements that Federal clinics receive versus private practice providers (Attachment #2).

Dr. Cindi Sherwood, DDS, Independence added her support of the Donated Dental Services program, dental education in Kansas and the need to keep graduates in the state, and the possibility of increasing the number of dental school seats open to Kansas residents (Attachment #3).

Also speaking in support of **SB 132**, Dr. Katherine Weno, DDS, Kansas Department of Health and Environment, echoed her support of this bill in her capacity as Director for the Bureau of Oral Health (Attachment #4).

Also in favor was Tanya Dorf-Brunner, Oral Health Kansas, stating that this bill addresses the payment source and provider access issues (Attachment #5).

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Betty Wright, Executive Director, Kansas Dental Board, stated the duties of the Board were to protect the public through licensure and regulation of the dental profession and that this legislation creates a higher level of extended care permit dental hygienist called a Level III (Attachment #6).

Dr. David Hamel, DDS, (Attachment #7), Cathy Harding, Kansas Association of the Medically Underserved (Attachment #8), and Ron Gaches representing the Kansas Dental Hygienists' Association (Attachment #9) all presented written testimony in support of **SB 132**.

Debra Billingsley, Kansas Board of Pharmacy, presented written neutral testimony on this legislation (Attachment #10).

There being no further conferees, the hearing on **SB 132** was closed.

The Chair opened the hearing on **SB 195—Relating to the licensure of acupuncturists**. Staff explained that this legislation would require the Board of Healing Arts to license acupuncturists, outlines the requirements for licensure as an acupuncturist, and sets the limit on the amount of each fee related to the licensure. It also establishes an Acupuncture and Oriental Medicine Council to assist the Board, detailing the membership of the Council and specifying the Council's responsibilities.

Sandy Wilkes, Vice President of the Kansas Association of Oriental Medicine, stated that this legislation was needed to protect the public from unsafe or ineffective practices by unqualified practitioners; to provide a basis for the public to make informed decisions on the level and type of training of practitioners; to maintain the national level of quality, effectiveness and safety in the practice; and to protect the public's freedom to trained and qualified specialists (Attachment #11).

Sue Britt shared her experience with an acupuncturist (Attachment #12).

Dr. Richard Yennie, Acupuncturist and Chiropractor, states that Kansas should pass an Acupuncture and Oriental Medicine Practice Act and acupuncturists should be recognized and licensed in Kansas (Attachment #13).

Also speaking in favor of **SB 195**, Dominador Perido stated that with passage of this legislation another avenue in pain management would be opened (Attachment #14).

Written testimony in favor of this legislation was introduced from Michael J. Schroeder, American Acupuncture Council (Attachment #15) and Anne Hodgdon (Attachment #16).

Written testimony in opposition to the bill was introduced from Joseph Kroll, Kansas Department of Health and Environment (Attachment #17).

Dan Morin, Kansas Medical Society, presented testimony in dispute of that presented by the proponents of this legislation regarding licensure as set forth in the Credentialing Act through the Kansas Department of Health and Environment. He referenced two documents, both dated February 11, 1999 addressing this issue, one from the Kansas Medical Society (Attachment #18) which said that KMS believes that the legislature should study the education and training of alternative providers as a whole before acting on the proposed legislation, and the other from Lesa Bray, Director, Health Occupations Credentialing, Bureau of Health Facility Regulation, KDHE, stating the department believes any decision to license persons to practice acupuncture must follow the process set forth in the Credentialing Act (Attachment #19).

There being no further conferees, the hearing on **SB 195** was closed.

The Chair called for final action on **SB 33—school sports head injury prevention**. A balloon was introduced with language that clarified licensed health care provider by definition to read “person licensed to practice medicine or surgery”. Motion by Senator Reitz, seconded by Senator Kelly. Senator Pilcher-Cook requested clarification on the motion. Motion was restated to amend the bill as a substitute bill for SB 33, eliminating all other previously adopted amendments. Motion carried.

The next meeting is scheduled for February 17, 2011. The meeting adjourned at 2:30 p.m.

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