

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE.

The meeting was called to order by Chairperson Senator Susan Wagle at 1:30 p.m. on February 13, 2001 in Room 231-N of the Capitol.

All members where present except: Senator Praeger (EA)

Committee staff present: Ms. Emalene Correll, Legislative Research Department
Ms. Renae Jefferies, Revisor of Statutes
Ms. Lisa Montgomery, Revisor of Statutes
Ms. Margaret Cianciarulo, Committee Secretary

Conferees appearing before the committee: Ms. Susan Linn, Executive Secretary,
Kansas State Board of Pharmacy
Ms. Marlee Carpenter, Executive Director,
Kansas Retail Council
Mr. Bob Williams, Executive Director,
Kansas Pharmacy Association
Ms. Marla Rhoden, Health Program Analyst,
Health Occupations Credentialing, KDHE
Ms. Wendy Allman, Heart of America Family Services,
Child Care Resource & Referral
Ms. Marilyn Ward, Executive Director,
ERC/Resource & Referral
Ms Leadell Ediger, Kansas Association of Child Care
Research & Referral Agency
Ms. Christine Ross-Baze, Director,
Child Care Licensing and Registration Section
Bureau of Consumer Health
Ms. Lisa Dowd, Associate Director
Child Care Association of Johnson County

Others attending: See Attached Guest List

Approval of Minutes

Upon calling the meeting to order, the Minutes of January 10, 16, 17, 22, 23, 24, and January 31 were distributed to the Committee Chairperson Wagle asked that the Committee call Ms. Cianciarulo with their comments and if none are received by the 1:30 p.m. meeting of February 20, 2001, the above minutes would stand approved.

Action on SB160 - dental practices act; licensure and fees and SB 212 - use of certain names by dentists.

The next order of business, Chairperson Wagle brought forth two bills addressing dentistry. The Committee was asked to pass SB 160. Senator Jordan motioned to pass the bill favorably. The motion was seconded by Senator Brungardt and carried. The second bill the Committee was asked to pass was SB 212. Senator Brungardt motioned to pass the bill favorably. The motion was seconded by Senator Salmans. The motion carried.

Distribution of Handouts

The Chair then called the Committee's attention to three handouts:

1. An article (see Attachment 1) regarding insurance coverage 38-2003, "health benefits' coverage defined regarding abortion;

- 2.. A letter (see Attachment 2) providing information on coverage of RU-486 under Medicaid and HealthWave from provided backup for her cancelling **SR 486**. Chairperson Wagle announced she had cancelled the hearing on this bill as with this information the hearing was unnecessary; and
3. Fiscal Note for SB 194 from the Division of Budget of February 13, 2001.

Copies are (Attachment #1 and 2) attached hereto and incorporated into the Minutes by reference.

Hearing on SB 194 - pharmacy technicians; Board of Pharmacy's list of pharmacy technicians.

Chairperson Wagle then introduced Ms. Emalene Correll from Legislative Research to explain **SB 194**. Ms. Correll explained the bill had a fairly long history, that deleting the new language "makes it sort of a licensing set up", and that subsection E is new. The Chair then introduced the first proponent conferee to address the bill.

Ms. Susan Linn, Executive Secretary for the Kansas State Board of Pharmacy presented testimony to the Committee stating that licensed pharmacists be assisted by technicians in certain nonjudgmental tasks so that pharmacists may devote more time to counseling patients on medication management. A copy of her testimony is (Attachment #3) attached hereto and incorporated into the Minutes by reference.

Ms. Marlee Carpenter, Executive Director, Kansas Retail Council was the next conferee to give proponent testimony. Ms. Carpenter stated that currently the Kansas Board of Pharmacy is charged with regulating the profession, and a procedure for a pharmacy technician to be listed with the Kansas Board of Pharmacy would give them the tracking ability and additional knowledge about a pharmacy technician. A copy of her testimony is (Attachment #4) attached hereto and incorporated into the Minutes by reference.

Last but not least to provide proponent testimony was Mr. Bob Williams, Executive Director of the Kansas Pharmacist Association. Mr. Williams stated that since pharmacy technicians deal with controlled substances and patient records on a routine basis, it is in the best interest of the public for the State Board of Pharmacy to have some disciplinary oversight of pharmacy technicians. A copy of his testimony is (Attachment 5) attached hereto and incorporated into the Minutes by reference.

Ms. Marla Rhoden, Health Program Analyst, Health Occupations Credentialing, KDHE came before the Committee to present opponent testimony. Ms. Rhoden stated that this bill proposes to credential an occupation without benefit of a technical review by the State Board of Pharmacy which is prescribed by the Kansas Act on Credentialing. A copy of her testimony is (Attachment 6) attached hereto and incorporated into the Minutes by reference.

With all of the testimony presented, the committee then was able to ask questions of the conferees. Questions were asked by Senators Praeger, Harrington, and Wagle, Emalene Correll, and answered by Ms. Vicki Schmidt, President, Board of Pharmacy. The questions ranged from why this bill is so much more prescriptive and comprehensive than last years, is this request just for a list of pharmacy technicians, to aren't pharmacists adversely tracking.

Hearing on SB 195 - release of information in records of child care facilities

The Committee then proceeded to hear testimony on SB 195 and the first speaker recognized for proponent testimony was Ms. Wendy Allman, Heart of America Family Services, Child Care Resource & Referral. Ms. Allman reminded the Committee that **SB 195** was introduced this year to modify **HB 2755** which has resulted in parents not having access to all of the providers in the business, the resource and referral agencies spending too much time and money complying with the bill, and child care providers being cheated out of potential clients. A copy of her testimony is (Attachment 7) attached hereto and incorporated into the Minutes by reference.

Ms. Marilyn Ward, Executive Director, ERC/Resource & Referral, basically voiced the same woes that were presented by Ms. Allman, but asked for a more efficient way of protecting the privacy of child care providers. A copy of her presentation is (Attachment 8) attached hereto and incorporated into the Minutes by reference.

With no Opponent Testimony, Ms. Leadell Ediger, Kansas Association of Child Care Research & Referral Agency presented the first of three neutral testimonies. Ms. Ediger presented positive and negative aspects, as well as examples of multiple requests the KACCRRRA has received which they have not been able to accommodate because of **HB 2755**. A copy of her presentation and handout is (Attachment 9) attached hereto and incorporated into the Minutes by reference.

Adjournment

As the second neutral testimony was about to be presented by Ms. Christine Ross-Baze, Director, Child Care Licensing and Registration Section, Bureau of Consumer Health, Chairperson Wagle announced that they had run out of time. It was now 2:30 p.m. and that the committee was scheduled to be on the Senate floor at that time. The Chair asked if Ms. Ross-Baze would be available tomorrow, Wednesday, February 14, to present her testimony first. Ms. Ross-Baze was in agreement. Ms. Lisa Dowd, Associate Director, Child Care Association of Johnson County, the third neutral conferee, was also given the same option.

The meeting adjourned at 2:35 p.m.

The next meeting is scheduled for February 14, 2001.