

Approved:  
Date: February 19, 2002

## MINUTES OF THE SENATE COMMITTEE ON FINANCIAL INSTITUTIONS AND INSURANCE.

The meeting was called to order by Chairperson Sandy Praeger at 9:30 a.m. on February 6, 2002 in Room 234 N of the Capitol.

All members were present except:

Committee staff present: Dr. Bill Wolff, Kansas Legislative Research Department  
Ken Wilke, Office of the Revisor of Statutes  
JoAnn Bunten, Committee Secretary

Conferees appearing before the committee:

Rebecca Rice, Kansas Chiropractic Association  
Steve Rarrick, Consumer Protection Division, Attorney General's Office  
Chris Collins, Kansas Medical Society

Others attending: See attached list.

### **Introduction of bills**

The Chair requested introduction of a bill related to buying long-term care insurance. Senator Barnett made a motion that the Committee introduce the proposed legislation, seconded by Senator Teichman. The motion carried.

Rebecca Rice, Kansas Chiropractic Association, requested introduction of a bill that would change the requirements of health care providers conducting utilization review. (Attachment 1)

Senator Feleciano made a motion that the Committee introduce the proposed legislation, seconded by Senator Steineger. The motion carried.

### **Hearing on SB 459 - Kansas Discount Card Act Supplemental to Consumer Protection**

Steve Rarrick, Consumer Protection Division, Attorney General's Office, expressed support for **SB 459** which would provide provisions relating to the Discount Card Act passed by the 2000 legislative session. Mr. Rarrick noted that by amending the Discount Card Act, certain guidelines would be followed by suppliers who sell, market, promote, advertise or distribute this type of discount card. He stated that by making the Act part of the Kansas Consumer Protection Act, businesses and entities not within the definition of "consumer" under the KCPA would no longer have the protections of the Act. He also requested an amendment that would give non-consumer entities a private cause of action for violations of the Act, similar to that provided in the Kansas slamming law as noted in the attached testimony and balloon of the bill. (Attachment 2) During Committee discussion concern was expressed that the bill might be in conflict with Pfizer's new "Share Card" program that allows qualifying low income seniors to obtain access to Pfizer prescription drug products.

Mr. Rarrick also pointed out that he is aware of the concerns expressed by the Kansas Medical Society with language in **SB 459**, and would also be willing to work with KMS and Pfizer to address their concerns.

Chris Collins, Kansas Medical Society, stated that KMS supports the concept of increased consumer protection for patients who are purchasers of medical discount cards, however, they are concerned with the inclusion of the definition of "network of health care providers" in section 1 (c) of the bill as outlined in her written testimony. (Attachment 3)

### **Adjournment**

The meeting was adjourned at 10:30 a.m. The next meeting is scheduled for February 7, 2002.