



To: House Health and Human Services Committee

From: Travis R. Oller, DC
Executive Director
Kansas Chiropractic Association

Date: February 12, 2019

Subject: HB 2146; Providing for certain business entities to engage in the corporate practice of medicine.

Chairperson Landwehr and other members of this committee, I write today in opposition of HB 2146.

I have been a licensed Doctor of Chiropractic in Kansas since January of 2001. I have practiced in variety of office environments, from a small, one-doctor office with no staff to a large multi-disciplinary office with other Doctors of Chiropractic, Physical Therapists, and a Doctor of Medicine and I am currently the Executive Director of the Kansas Chiropractic Association.

The KCA represents more than 1,100 licensed Doctors of Chiropractic in Kansas who also work in diverse practice environments.

We feel that this bill attempts to correct an issue that does not exist and in doing so, unnecessarily places providers at risk for the potential sins of their employers.

This bill as written does not require any particular healthcare knowledge in order to obtain a "certificate of authorization" that would allow the corporate practice of medicine. The only motivation for a non-healthcare entity to own a healthcare corporate entity is financial gain. This allows for an employer to set office policies that insert a third-party decision-maker between the patient and provider.

While the Bill states that the business entity would not be relieved of responsibility for the conduct or acts of its agents or employees, ***it also says that the healing arts provider will not be relieved of responsibility for services performed by reason of employment or relationship with such business entity.*** It is important to keep in mind that the healthcare provider may not even be aware of certain business/billing



practices but would still be responsible for them. It is also important to remember that the healthcare provider is subject to all licensing laws and penalties (including loss of license) for all violations which may arise via the business relationship, but the non-healthcare provider business owner is not.

This legislation potentially places licensees of the healing arts in business situations where they do not control all elements of the practice but are still fully responsible for all problems which violate the Healing Arts Act.

Healthcare works best when treatment decisions are made between the patient and provider without external interference. For these reasons, Kansas Chiropractic Association opposes HB 2146.

Travis R. Oller, DC
Executive Director, Kansas Chiropractic Association