

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairman Brenda Landwehr at 1:30 P.M. on March 12, 2007 in Room 526-S of the Capitol.

All members were present except:

Cindy Neighbor- excused
Jim Ward - excused
Tom Holland- excused

Committee staff present:

Jason Thompson, Revisor's Office
Rena Jefferies, Revisor's Office
Melissa Calderwood, Legislative Research
Mary Galligan, Legislative Research
Tatiana Lin, Legislative Research
Patti Magathan, Committee Assistant

Conferees appearing before the committee:

Teresa Schwab, Oral Health Kansas
Marcia Manter, Oral Health Kansas
Jane Rhys, Council on Developmental Disabilities
Ron Gaches, Dental Hygienists Association
Kevin Robertson, Kansas Dental Association
Debra Billingsley, Kansas Board of Pharmacy

Others Attending:

See Attached List.

Open the floor for hearings on **SB176 - Dental hygienists; issuance of permits, authorized practice.**

Proponent **Teresa Schwab**, Executive Director of Oral Health KS (Attachment 1) stated that her agency was formed 3 years ago in response to overwhelming dental need and declining supply of dental services in the state of Kansas. To stress the importance of dental health she cited recent deaths of two young children stemming from dental infection, stating that these were preventable deaths.

Existing law allows dental hygienists to obtain Extended Care Permits and then work in certain extended care settings under the general supervision of a sponsoring dentist. With the support of United Methodist Health Ministry Fund, our organization has spent the last few years developing a tool kit and training opportunities to support dental hygienists, community-based settings, and dentists in the development of a community dental hygiene program. Existing law has limitations so a task force was created to explore possible changes.

SB176 expands on our efforts to extend dental care from the Dental office into the community and is based on task force recommendations.

Proponent **Marcia Manter**, of Oral Health KS, (Attachment 2) is Project coordinator for Oral Health Kansas. She supports the development of Extended Care Permit (E.C.P.) dental hygiene services throughout Kansas. Currently there are 50 hygienists with extended care permits across the state. Several of them work with safety net clinics. She has received numerous requests in her position to expand the number of Kansans who can be served in community dental hygiene programs.

She reviewed proposed changes to existing law:

1. Today children are served in Head Start and schools. This is being expanded to include children and adolescents who are being served at community child care programs, youth groups, and therapeutic centers, as well as children in foster care and family preservation services.

2. A hygienist receiving an E.C.P. I license must have 1200 hours of clinical experiences. They serve children and adults in schools, local health departments and correctional facilities. The E.C.P. II designation would require 1800 hours of clinical practice. They could serve elders and medically frail, in addition to

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those served by the E.C.P. I licensees.

3. Two academic years is a potential change in how university and colleges may design academic program years in the future.
4. Allow use of topical anesthesia for temporary relief from pain during prophylaxis. This is a periodontal gel which is injection-free.
5. Current law limits treatment of older adults to Long Term Care facilities and Home and Community Based Services waiver. Area Agencies on Aging report only 5% meet those requirements. This change expands coverage to subsidized senior housing, and well as senior centers and senior meal programs.
6. Allow Dental Hygienists to apply topical Fluoride varnish during screening and oral health education sessions.
7. Adds two methods for hygienists who are no longer working in a dental office to practice E.C.P.

Jane Rhys, proponent with Council on Developmental Disabilities, (Attachment 3) said that as of April 1 the Kansas Home and Community Based Services Waiver for persons with developmental disabilities has been amended to include dental services. This bill would extend the circumstances under which many of these individuals can receive needed dental services. The Kansas Home and Community Based Services Waiver is a federally maintained and funded program.

Ron Gaches, proponent representing the Kansas Dental Hygienists Association, (Attachment 4) said that he is on the board of Oral Health Kansas. This is the first active dialogue to expand oral health care, since the passage of legislation in 2003. The original extended care permit bill was a bold move by the legislature. This law helps remove barriers to existing law while still fulfilling intent of the original law.

Kevin Robertson, proponent and Executive Director of the Kansas Dental Association, (Attachment 5) said that his organization represents 1,200 or 80% of the state's licensed dentists. They support **SB176**. This bill is the culmination of some six months of discussion among oral health professionals, advocates and others. A Senate amendment allows a hygienist to provide topical anesthetic care in a dental office same as this bill.

Written testimony was provided by:

Suzanne Wikle	KS Action for Children	(Attachment 6)
Betty Wright	KS Dental Board	(Attachment 7)
Craig Kaberline	KS Area Agencies on Aging	(Attachment 8)
Barb Conant	KS Dept. Of Aging	(Attachment 9)
Debra Zehr	KAHSA	(Attachment 10)

Chair Landwehr closed the hearings on **SB176** and opened the floor to work **HB2531** - Pharmacy act amendments concerning durable medical equipment and wholesale drug distribution regulation.

Renae Jeffries, Revisor, reviewed changes requested by the Board of Pharmacy from the original hearings. Definitions have been added for chain pharmacy warehouse, durable medical equipment, exclusive distributor, third party logistics provider, wholesale distributor, wholesale distribution, and a list of what is not included in wholesale distribution.

Following several questions directed at Ms. Jeffries and **Debra Billingsley**, Executive Director of the Board of Pharmacy, Chair Landwehr appointed Representatives Colyer, Garcia and Hill as a subcommittee to work with involved groups and the Revisors. Subcommittee will report back on Wednesday. We will work this bill after the subcommittee meets.

Meeting adjourned at 3:21. Next meeting is Tuesday, March 13 at 1:30 P.M.