

## 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 January 27, 2009, in Room 784 of the Docking State Office Building.

Committee members: All members were present.

Committee staff present:

Norm Furse, Office of the Revisor of Statutes  
Melissa Calderwood, Kansas Legislative Research Department  
Reed Holwegner, Kansas Legislative Research Department  
Janet Grace, Committee Assistant

Conferees appearing before the committee:

Dustin Bozwell, Nurse Anesthesia Student (Attachment 1)  
Charles Herring, Nurse Anesthesia student  
Mike Good, Center for Innovative Biomedical Orthopedic Research (CIBOR) (Attachment 2, 3)

Others attending:

See attached list.

Chairman Landwehr called the meeting to order, and asked for bill introductions.

Representative Neighbor made a motion for the Board of Healing Arts to increase in their fees. They have not had a fee increase in 5 years. The demands on the board has increased without the resources necessary to meet the demands. Representative Morrison seconded the motion. The motion was carried.

Representative Crum presented a conceptual bill regarding high deductible health plans. The motion was seconded by Representative Schwab. The motion was carried.

Representative Landwehr introduced five committee bills as one motion.

1. Fixes the COBRA issue from last year SB 81;
2. Medicaid reform develop an HSA waiver Medicaid started allowing this in 2007;
3. Physician's Assistants perform independent from the direct supervision of the physician with written protocol from a physician, this is done only in underserved rural areas;
4. Mandate free health care plan, individuals can create their plan based on needs and finances;
5. Health care transparency bill.

Representative Morrison seconded the motion. The committee was informed that health transparency was for all. Research will be done and answers provided to the committee about the ERISA plan at a later date.

The motion carried.

Leslie Allen provided the Behavioral Sciences' bill introduction.

1. Removing language preventing people coming from out of state from obtaining a license
2. Increase the application fee for psychology application. Approximately 60% are from out of state and are not intending on being licensed in Kansas. They are paying the lower fee than those who want to be licensed in Kansas

Representative Schwab made a motion by seconded by Representative Neighbor, to accept the above changes. The motion carried.

Dustin Bozwell and Charles Herring, nurse anesthesia students representing the three programs (University of Kansas, Newman University, and Texas Wesley University-Topeka), provided an overview on the profession, The Kansas Association of Nurse Anesthetists (KANA), Certified Registered Nurse Anesthetists (CRNA's) (Attachments 1, 2, 3, 4). They are licensed professional registered nurses who obtained certification as anesthesia nursing specialists through additional education and successful completion of a national examination. CRNA's administer approximately 65% of the over 26 million anesthetics given in the U.S. each year. In Kansas, CRNA's make up 70% of the anesthesia providers in the state. Overall, two-thirds of all rural hospitals in the U.S. rely on CRNA to deliver anesthesia to their patients. Over 80% of all

## CONTINUATION SHEET

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hospitals in Kansas rely exclusively on CRNA's for anesthesia service. CRNA's practice both independently and with physicians such as anesthesiologists. Anesthesia provided by CRNA's has been so safe that malpractice premiums have dropped approximately 60% in the last ten years.

Representative Mast thanked the students for coming and introduced Joe Conroy, a practicing CRNA, to convey a concern the profession has and would like help from this Committee. Mr. Conroy provided background information on the statues for CRNA's. In 2007, the Department of Nursing decided that CRNA's are not able to write orders anytime, anywhere and the hospitals would be written up if they allowed the CRNA's to proceed in their past capacity. This will greatly impact the majority of hospitals throughout Kansas. Proposed amendment to: K.S.A. 65-1158

(A) (2) develop a general plan of anaesthesia care With the physician or dentist —“which includes ordering appropriate medications and diagnostic studies during the pre-operative period.”

The Committee discussed introducing a bill for the CRNA's. A motion submitted by Representative Schwab and seconded by Representative Mast to work with the CRNA's to present a bill. The motion carried. Mr. Conroy stated the CRNA's submitted a request in October to the Attorney General for clarification of their responsibilities. The Attorney General sent his response two days ago. The CRNA's and Representative Mast were not informed of the decision until during the committee meeting. The response is quite extensive and literal, and it does not favor the CRNA's. Representative Mast and Dan Morin offered to go back and work with both sides to come to a resolution. A bill had been introduced and the committee will continue with the bill. Meetings need to continue with all affected parties impacted to expedite an agreement. Dan Morin requested to speak to the Committee to inform them that the Attorney General's opinion is coming out this morning.

Mike Good and Dr. Paul Wooley from the Center of Innovation for Biomaterials in Orthopedic Research (C.I.B.O.R) presented an overview of the potential facility and its research ability (Attachments 2,3). Dr. Wooley provided insight on a unique implant for hip and knee replacement surgery. The United States will soon face an epidemic level of need for hip and knee replacements. Baby boomers do not want to be restricted or have their activities slowed. Dr. Wooley is developing a composite material that can be used for implants. The need for alternative procedures for hips and knees is necessary. The material could also make surgery tables, surgical instruments, etc. The new composite material would provide additional cost savings to hospitals/patients and decreases patient risks by decreasing the surgery/anesthesia time, the radiograph can be taken through the table, etc.

Mike Good provided the positive economic growth potential from this facility. There will be an increase in job opportunities and the ability for the universities and industries in Kansas to partner with the facility and its research. The locality will provide the building but they do need the funding for supplies, equipment, and staff. This facility would keep highly skilled people in the airline industry employed. CIBOR has requested funding from other areas including the Kansas Bioscience Authority (KBA). It has been a very frustrating process. CIBOR's unique approach has lead to some issues with KBA. They had the University of Kansas develop a traditional academic proposal and CIBOR developed theirs. They combined the two proposals and thought it was well presented. KBA has not provided any response nor funding. CIBOR has the people to make this work but they are lacking the instrumentation.

The next meeting is scheduled for February 3, 2009.

The meeting was adjourned at 3:07 p.m.