

## MINUTES OF THE SENATE FINANCIAL INSTITUTIONS AND INSURANCE COMMITTEE

The meeting was called to order by Chairman Ruth Teichman at 9:30 a.m. on March 16, 2010, in Room 152-S of the Capitol.

All members were present.

Committee staff present:

Ken Wilke, Office of the Revisor of Statutes  
Melissa Calderwood, Kansas Legislative Research Department  
Terri Weber, Kansas Legislative Research Department  
Beverly Beam, Committee Assistant

Conferees appearing before the Committee:

Others attending:

See attached list.

The Chair called the meeting to order.

Continued discussion on

**SB 554 - Insurance; coverage for autism**

The Chair said because time ran out and for no other reason, debate on SB 554 had to be continued to today. The Chair said Senator Brownlee had made a motion to recommend a proviso to the Ways & Means Committee to do the test track. Senator Brownlee said she wanted to withdraw her motion to go with a proviso to do the test track. The Chair withdrew the motion.

Ken Wilke stated that changes were made on page 2 at the request of Mr. Smoot that the service providers be licensed in Kansas. These were modified by the committee to require them to be licensed, not just by Kansas. As a result, he said there needs to be a corresponding set of amendments on page one. He said there is a proposal in front of committee members to do that. Mr. Wilke said if we don't, then we have a situation where the reimbursement language speaks to certain types of providers without any restriction on who does the licensing. On page one, you still have a requirement that physicians be licensed by the Board of Healing Arts or the psychologists or the licensed special clinical social worker would be required to be licensed by the Behavioral Science Board. He said what he has prepared is a change on lines 23 through 25 and a corresponding one on lines 26 and 27 to take out the references to the State Licensing Board that leave in licensed physicians, psychologists or licensed specialist social worker.

Senator Barnett asked Mr. Wilke to refresh the Committee on the actual language on Page 2 that he referenced. Mr. Wilke said on Page 2, the language was changed in paragraph 6 in lines 2 through 8. He said existing language was struck and replaced with "reimbursement shall be allowed only for services provided by a provider licensed, trained and qualified to provide such services." Mr. Wilke said as a result and because of discussion in the committee, particularly in the area of Kansas City where you might be going across the border to get services provided in Kansas City, Missouri which is covered under the Kansas Health Plan, it was felt that since there was no restriction on who did the licensing. He said on this page, it would be necessary to make a corresponding change on page one with reference to Kansas licensing.

Senator Brownlee moved the amendment. Senator Taddiken seconded. Motion carried.

Senator Barnett proposed one additional amendment. He said the additional language was brought forth by the proponents to clarify what Mr. Wilke clarified on Page 2. It would state anyone trained or qualified to provide such services "or autism specialist or intensive individual service providers as defined by SRS for Kansas for the Kansas Autism Waiver." This language was brought by the proponents to further clarify who could provide the ABA services.

The Chair asked if this broadens those could actually provide the services.

## CONTINUATION SHEET

Minutes of the Senate Financial Institutions and Insurance Committee at 9:30 a.m. on March 16, 2010, in Room 152-S of the Capitol.

Mr. Kearney, Autism Speaks, said from their perspective, it actually narrows it a little bit versus the kind of broad language about licensed and trained, etc.

The Chair asked if the SRS Autism Waiver is changed, are you intending for this language to pick up those changes as they are made. Mr. Kearney said yes.

The Chair asked if that is clarified in the bill.

Mr. Wilke said the language is silent, but the implication is that it will pick up the Autism Waiver whatever it is at the time the question is raised. He said that gets to Senator Brownlee's question of whether we need to have this as of a date certain. He said that is what he would recommend.

Senator Barnettt made a motion that any autism specialist or intensive individual service provider is defined by the SRS for the Kansas Autism Waiver as it exists on July 1, 2010 and in that way if the Autism Waiver is changed subsequently by SRS, this would have to be changed to update.

Senator Taddiken seconded for the purpose of discussion. Hearing none. Motion passed.

Senator Barnett moved to remove the content of HB 2160 and insert the content of SB 554 as amended and advance it to the full senate as a substitute for HB 2160. Senator Kelsey seconded. Motion carried.

Action on

### **SB 167 - Hospitals; increasing the enforceable limit of a hospital lien**

Melissa Calderwood gave the committee a brief overview of this bill. She said this is a bill the committee has heard both last year and this year.

The Chair said her charge to the proponents and opponents of this bill was to try to compromise. She said she told them if that does not happen, the Committee would make a decision for them. She said she would recommend the enforceable limit of a hospital lien be lowered from \$20,000 to \$10,000.

Senator Kelsey moved to amend SB 167 by lowering the enforceable limit of a hospital lien to \$10,000. Senator Masterson seconded. Motion passed.

Senator Brownlee moved to pass SB 167 out favorably as amended. Senator Taddiken seconded. Motion passed.

The next meeting is scheduled for March 17, 2010.

The meeting was adjourned at 10:10 a.m.