

MINUTES OF THE HOUSE SOCIAL SERVICES BUDGET COMMITTEE

The meeting was called to order by Chairman Bob Bethell at 3:30 p.m. on March 10, 2008, in Room 514-S of the Capitol.

All members were present.

Committee staff present:

Kimbra Caywood McCarthy, Kansas Legislative Research Department

Nobuko Folmsbee, Office of Revisor of Statutes

Judy Holliday, Committee Assistant

Conferees appearing before the committee:

Bob Williams, Executive Director, Kansas Association of Osteopathic Medicine

Courtney Hunn, 1st year medical student, University of Kansas Medical Center

Dr. Mary Kennedy, Instructor, University of Kansas Medical Center

Dr. Robert Maile, Superintendent, Kansas School for the Deaf

Doug Bowman, Coordinator, Kansas Interagency Coordinating Council

David Halferty, Director of Nursing Facility and PACE Division, Kansas Department on Aging
Representative Tom Hawk

Ron Gaches on behalf of Kansas Society of Professional Engineers

Tony Scott, Executive Director, Kansas Society of Certified Professional Accountants

Chad Austin, Vice President Government Relations, Kansas Hospital Association

Written testimony submitted:

Dr. Michael Kennedy, President, Kansas Academy of Family Physicians

Joseph Kroll, Bureau of Child Care and Health Facilities, Kansas Department Health and Environment

Debra Harmon Zehr, President of the Kansas Association of Homes and Services for the Aging

Others attending:

See attached list

Chairman Bethell distributed copies of a memorandum from Terri Roberts, Kansas State Nurses Association, to Committee members. (Attachment 1)

Hearing on HB 2685--Geriatric medicine, approved postgraduate training program for KU Medical School and doctor of osteopathy loan programs.

Legislative Research presented an overview of the bill.

Bob Williams, Executive Director, Kansas Association of Osteopathic Medicine, testified as a proponent of **HB 2685**. (Attachment 2) Osteopathic physicians frequently locate in rural Kansas communities. As the 'baby boomers' age, osteopathic physicians in these areas will need to focus their practice on geriatric medicine. By including fellowship training in geriatric medicine for osteopathic medical service scholarships, the medical community will be better prepared to address the needs of an aging Kansas population.

Two KU Medical Center representatives were present to offer comments and answer questions by the Committee. Courtney Hunn, a first-year medical student, briefed the Committee on her residency at KU Medical Center. Ms. Hunn is a recipient of the loan program and stressed the importance of having the loan program available in order for medical students to receive the geriatric medical training. (No written testimony)

Dr. Mary Kennedy told the Committee that there is a shortage of geriatricians in Kansas and that only two slots are filled each year. She stated that each year there are thirty participants in the loan program, but many potential students are turned away because of the provision in the loan program that requires paying one-third of their loan before they can enter the geriatric residency. This bill would delay repayment of the loans. (No written testimony).

Written testimony only on **HB 2685** from:

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Dr. Michael Kennedy, President, Kansas Academy of Family Physicians ([Attachment 3](#))

The hearing was closed on **HB 2685**.

Hearing on HB 2716--Services through *tiny-k* networks for the deaf and hard of hearing children; appropriations for the FY 2009.

Chairman Bethell asked Legislative Research to explain the bill.

Dr. Robert Maile, Superintendent, Kansas School for the Deaf, testified as a proponent of **HB 2716**. ([Attachment 4](#)) The Sound Start of Kansas program ensures coordination of *tiny-k* networks to support and enhance current services. The areas of greatest need are consulting, training with technical assistance, training with follow-up, cross-training between disciplines, and additional resources.

Doug Bowman, Coordinator, Kansas Interagency Coordinating Council, testified as neutral on **HB 2716**. ([Attachment 5](#)) Mr. Bowman's agency encourages offering enhanced funds to families of children aged birth through five years. He stated that hearing loss can occur or be identified during pre-school years. He suggested making the resources available to the local teams, including the family, that make individual decisions for each child. Mr. Bowman expressed his opinion that these decisions made at the community level are more 'family-friendly' than those made in Topeka or Kansas City.

The hearing was closed on **HB 2716**.

Hearing on HB 2893--All-inclusive care for the elderly (PACE) program.

The Chairman asked Legislative Research to explain the intent of the bill.

David Halferty, Director of Nursing Facility and PACE Division, Kansas Department on Aging, testified as a proponent of **HB 2893**. ([Attachment 6](#)) Mr. Halferty stated that both of the state's current PACE programs provide home health services themselves as well as contracting for home health services with other providers. The amendment to **HB 2893** would exempt PACE providers from maintaining separate home health licensure.

Written testimony only on **HB 2893** from:

Joseph Kroll, Bureau of Child Care and Health Facilities, Kansas Department Health and Environment ([Attachment 7](#))

Debra Harmon Zehr, President of the Kansas Association of Homes and Services for the Aging ([Attachment 8](#))

The hearing on **HB 2893** was closed.

Hearing on HB 2773--Service providers to counties, state; no higher fee than the least charged

Chairman Bethell asked Legislative Research to explain the intent of the bill.

Representative Hawk testified on **HB 2773**, stating that the bill is too 'broad,' and asked the Committee members for suggestions on how best to address it. ([Attachment 9](#)) Representative Hawk brought the bill at the suggestion of his County Commissioners.

Tony Scott, Executive Director, Kansas Society of Certified Professional Accountants, testified in opposition to **HB 2773**. ([Attachment 10](#)) Mr. Scott testified that many CPAs provide professional services to non-profit and commercial clients in their communities often at a discounted fee as a community service. To limit professional fees charged for governmental work to an amount no greater than the least amount charged for less complex work ignores the reality of the professional regulatory environment and risk associated with performing those services.

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Ron Gaches testified in opposition to **HB 2773** on behalf of the Kansas Society of Professional Engineers. (Attachment 11) Mr. Gaches stated that there are possible negative impacts of the bill. As an example, consulting engineers would be required to offer services to the state and counties at the rates matching the lowest fees they charge any private sector client. As another example, pharmacies participating in the State Employee Health Care Plan or Kansas Medicaid would be required to offer the State the lowest price they accept on every drug they sell, guaranteeing that they would lose money on every prescription filled for the State. In rural areas, Medicaid is 30% or more of the local pharmacy's business and losing that business or taking a loss on every drug sold under Medicaid or the State plan would bankrupt many pharmacies. Mr. Gaches asked the Committee to take no action on this bill.

Fred Lucky testified for Chad Austin on behalf of the Kansas Hospital Association as neutral on **HB 2773**. (Attachment 12) Mr. Lucky testified that although the intent of the bill was directed toward psychiatric evaluations ordered by district courts, the Kansas Hospital Association believes the language could be construed to cover all types of health care services provided when a county or the State is responsible for payment. The result would be every health care provider would receive the Medicaid rate for all services provided to a county or the State, including the State Employee's Health Plan and Workers Compensation. This would be an issue for hospitals because federal Medicaid rules prohibit states from paying for services in excess of costs. The Kansas Hospital Association recommends an amendment to **HB 2773** that would restate the beginning of the sentence to "With regard to psychiatric evaluations ordered by a district court" rather than "health care services or other evaluations."

The hearing on **HB 2773** was closed.

The meeting adjourned at 5:10 p.m. The next meeting is scheduled for Tuesday, March 11.