

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES.

The meeting was called to order by Chairperson Garry Boston at 1:30 p.m. on March 15, 2001 in Room 210 Memorial Hall

All members were present except: Representative Geraldine Flaharty, Excused  
Representative Peggy Palmer, Excused

Committee staff present: Dr. Bill Wolff, Kansas Legislative Research Department  
Renae Jefferies, Revisor of Statute's Office  
June Evans, Secretary

Conferees appearing before the committee: Dr. Steven Haught, President, Kansas Dental Board  
Terri Roberts, Executive Director, KS State Nursing Assn.

Others attending: See Attached Sheet

The Chairperson stated when we stopped yesterday we were in the middle of **SB 239 - Kansas trauma system plan**. We will continue the hearing today and Terri Roberts distributed testimony yesterday, but has new testimony today that has been passed out.

Terri Roberts, Executive Director, Kansas State Nursing Association, testified as an opponent to **SB 239**, stating she had revised her testimony. This is a very important bill as it eliminates the sunset provision regarding the Advisory Committee of Trauma. Prior to the legislation enacting this Committee two years ago, all of the professions and the institutions involved with the delivery of trauma care spent three years developing the basic framework for a trauma system for our state. The bill as proposed added a representative from each of the 6 regional trauma councils to the advisory committee and authorized the Governor to provide for terms of appointment that were staggered.

The Governor's Office recommended several major policy changes.

This bill as it was introduced in the Senate and then the House did basically three things: (1) It removed the sunset provision to make it clear that the Advisory Committee would continue (this was a statutory clarification only, it was always the intent that it continues its work). (2) It made a provision to require the Governor's office to set the terms for all those serving on the Advisory Committee. (3) It eliminated the annual reports to be made to the Health Committees of the Legislature (Attachment 1).

Staff provided a revised Comparison of **SB 239** introduced and proposed amendments (Attachment 2).

There being no questions, the Chairperson closed the hearing on **SB 239**.

The Chairperson opened the hearing on **SB 160 - Dental practices act; licensure and fees** and announced after that would turn to final action and **SB 239** would be one considered for final action. We ordinarily don't work a bill the same day we have the hearing, but have no problem with doing that as long as the committee agrees to it.

Dr. Bill Wolff gave a briefing on **SB 160** stating there needed to be a technical change on Page 3, line 36 to add a \$ before 125.

Dr. Steven Haught, President, Kansas Dental Board, testified as a proponent to **SB 160**, stating they had offered a 25% increase in fees and language deletions. In an effort to permit reentry into the hygiene profession by way of a continuing education, custom tailored university course, the dental board found an age qualification part of

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the definition of retirement that made reentry only possible for former hygienists 65 years of age or older. This was not the intent, and a statutory authority is needed to have retirement not age specific. The last change included is where a special permit is extended to “licensed dental hygienists” to provide dental screenings (Attachment 3).

Kevin J. Robertson, CAE, Executive Director, Kansas Dental Association, distributed written testimony in support of **SB 160** (Attachment 4).

The Chairperson closed the hearing on **SB 160**. The Chairperson asked if the committee had any objections to addressing **SB 214 Regulation and Licensing of Crematories** which we worked yesterday, then working **SB 186** and **SB 239**.

Representative Welshimer stated she had objection with what the law might allow the Mortuary Arts Board to only license mortuaries to perform cremation.

The Chairperson stated he was only asking if there was objection to working the bills.

Representative DeCastro moved and Representative Long seconded the accept New Section 8 requested by the Mortuary Arts Board. The motion carried (Attachment 5).

Representative Long moved and Representative Lightner seconded to accept balloon to remove on Page 2, line 43 “in this” and all of line 1 on Page 3 replace with “unless the crematory is licensed under this act”. The motion carried.

Representative Welshimer stated if this were law, whether they do it or not, it would be legal for the Board of Mortuary Arts to say only crematories that are a part of a mortuary can cremate.

Representative Kirk moved a conceptual motion and Representative Welshimer seconded an amendment that any crematory whether attached to a funeral establishment or not that meets the criteria established by the board and by statute shall be eligible to be licensed under this act.

Representative DeCastro stated she was in opposition of Representative Kirk’s motion as this Board as a professional Board to regulate themselves, we need to trust their judgement and not enter rules and regs because if we start entering rules and regs that Boards put in place am not sure that is where we want to go as legislators.

Representative Showalter asked Representative Kirk if on Page 1 line 43 and Page 2 lines 1, 2 and 3... doesn’t that address this issue?

Representative Kirk stated her only concern was to not have address connected to a mortuary. Do not want to preclude existing crematories that are not connected to a mortuary.

The Chairperson called a question on Kirk’s amendment. Yes 6 and No 7. The motion failed, back on the bill.

Representative Gordon moved and Representative Patterson seconded on Page 1, to delete the last sentence of (f), “such chambers shall be used exclusively for the cremation of human remains.” The motion carried.

Representative Storm moved and Representative Long seconded that New Section 6. be consistent and add “potentially hazardous implants”. The motion carried.

Representative Long moved and Representative DeCastro seconded to move **SB 214** out favorably as amended. The motion carried.

Representative Long moved and Representative Morrison seconded to amend **HB 2227** into **SB 186** and move

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out favorably. The motion carried.

The Chairperson stated that **SB 118 - Pilot program for fetal alcohol syndrome** would have a hearing on Tuesday, March 20 so would like to work **SB 239** today if possible, and if not could do it March 19. What is the committee's pleasure?

The Committee agreed to work it.

Representative DeCastro moved and Representative Long seconded to move **SB 239** out favorably.

Staff stated there was a technicality as it came from the Senate and needed to change to size of the committee on Page 2, line 30 change "eight" to "twelve".

Representative DeCastro moved and Representative Long seconded a substitute motion to include the technical amendment to change "eight" to "twelve".

Representative Showalter stated the bill did not set out specifically the terms and the amendment brought forward by the Governor set this out clearly and expanded the board so will have to speak against this motion even though am in favor of the bill. Like the proposed bill but believe the bill would be better with some of the proposed amendments and would like to have time to look at them.

The Chairperson stated would suspend work as there are concerns on **SB 239** and will pick up Monday if we have a meeting.

The meeting adjourned at 3:00 p.m.