

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE.

The joint meeting of the Senate Public Health and Welfare and the Health and Human Services Committees was called to order by Chairperson Representative Gary Boston at 1:30 p.m. on January 23, 2002 in Room 210, Memorial Hall.

All members were present except: Senator Sandy Praeger (EA)
Senator David Haley (EA)
Senator Chris Steineger
Ms. Emalene Correll, KS Legislative Research Department

Committee staff present: Ms. Lisa Montgomery, Revisor of Statute's Office
Ms. Margaret Cianciarulo, Administrative Assistant

Conferees appearing before the committee: Mr. Lawrence T. Buening, Jr. Executive Director,
KS Board of Healing Arts
Ms. Mercedes Bern-Klug, MSW, Director,
Kansas ElderCount, Center of Aging,
University of Kansas
Mr. Sam Markello, Vice President - Quality Improvement
For KS Foundation of Medical Care
Ms. Rosemary Chapin, Professor,
Kansas University Social Welfare
Ms. Debra Zehr, Vice President,
KS Association of Homes & Services for the Aging

Others attending: See attached guest list

Introduction of Bills

Chairperson Boston opened the meeting by asking for bill introductions.

Mr. Lawrence T. Buening, Jr. Executive Director, Kansas Board of Healing Arts, requested two bill introductions to be started in the Senate:

- 1.) Amend two statutes under the Healing Arts Act and one statute under the Podiatry Act;
- 2.) Amend the definition of medicine and surgery and also add another category of individuals who are not to be construed to be engaged in the practice of the healing arts.

A copy of his requests is (Attachment 1) attached hereto and incorporated into the Minutes by reference.

Representative Morrison made the motion to introduce the two proposed bills and Representative Showalter seconded. The motion carried.

Representative Patterson requested two bill introductions:

- 1.) Establish a prevention program at KDOA to lend regulatory and best practices expertise to long term care providers (previously contained in **HB2229**).

Representative Long made the motion to introduce the above bill and Representative Palmer seconded the motion. The motion carried.

- 2.) Establish a process by which an independent review panel, consisting of individuals not employed by the state survey agency; makes informal dispute resolution determinations.

Representative Showalter make the motion to introduce the above bill and Representative Palmer seconded. The motion carried.

Representative DeCastro requested two bill introductions:

- 1.) Direct KDHE to examine reasons for inconsistencies in the average number of nursing facility citations among survey regions. Develop and implement a plan to identify and correct factors originating within the department that contributes to such inconsistencies and reports their findings, progress, and outcomes to the Kansas Legislature by 2003;
- 2.) Include as part of a new surveyor orientation, within the first 30-days of employment and before survey duties begin, a 10-day full-time assignment to a nursing facility to observe actual operations outside the survey process. Thereafter, each surveyor will be provided, at a minimum, two days of onsite observation in a nursing facility every two years to observe actual observations outside the survey process.

Representative Long made a motion to introduce the above bills. Representative Morrison seconded and the motion passed.

Mr. Gary Robbins requested a bill be introduced regarding patient contact lense prescription release.

Representative Morrison made a motion to introduce the above bill. Representative Showalter seconded and the motion carried.

Overview of Kansas ElderCount

Chairperson Boston then recognized Ms. Mercedes Bern-Klug, MSW, Director, Kansas ElderCount, Center of Aging, University of Kansas, who gave an overview of ElderCount. Inspired by Kids Count, a project of Kansas Action for Children and a national-state partnership tracking the well being of children, Ms. Bern-Klug explained that the purpose of Kansas ElderCount is to design and produce a chart book describing key measures of older adult well-being at the county level. She also stated that ElderCount is going to emphasize mapping.

Next to come before th Committee for ElderCount was Mr. Sam Markello, Vice President - Quality Improvement for Kansas Foundation of Medical Care, who gave an overview of the health variables. He stated the charge of the Health Sub-Committee was to identify indicators of health and well being among the elderly (age 65+) of Kansas.

Ms. Rosemary Chapin, Professor, Kansas University Social Welfare, gave an overview of Community Living Variable stating the Community Living indicator monitors the status of the vast majority of elders who continue to live in the community even when they have long term care needs. She also stated that the ElderCount Advisory Committee is working to develop future indicators to highlight their financial contributions and participation in volunteer activities as well as in the work force.

Last to speak was Ms. Debra Zehr, Vice President, Kansas Association of Homes and Services for the Aging, spoke on the nursing home data collection group. A joint written copy of the overview is (Attachment 2) attached hereto and incorporated into the Minutes by reference.

Adjournment

Chairperson Boston thanked the ElderCount representatives for their overview and as there were no questions or further business, he adjourned the meeting. The meeting ended at 2:35 p.m.

The next meeting is scheduled for January 24, 2002.