

Approved: April 7, 2000
Date

MINUTES OF THE HOUSE BUSINESS, COMMERCE AND LABOR COMMITTEE.

The meeting was called to order by Chairperson Al Lane at 8:02 a.m. on March 31 , 2000 in Room 526-S of the Capitol.

All members were present except: Rep. Rick Rehorn - excused

Committee staff present: Bob Nugent, Revisor of Statutes
Jerry Donaldson, Legislative Research Department
Bev Adams, Committee Secretary

Conferees appearing before the committee: Phil Harness, Director, Workers Compensation, KDHR
Tom Whitaker, Kansas Motor Carriers

Others attending: See attached list

Action on: SB 219 - Workers compensation, administrative changes.

Senate Bill 219 was heard in our committee on March 11, 1999. The bill was blessed this week and the committee can now take action to pass the bill out of committee.

A mediation team composed of representatives from the Kansas Chamber of Commerce and Industry, Kansas Trial Lawyers Association, Kansas AFL/CIO, the Department of Human Resources, and Reps. Lane, Beggs and Ruff have been meeting for several weeks to come to an agreement on several issues related to workers compensation and changes to these statutes. This would be in place of amending the exclusive remedy law. The team came to an agreement which involved amending into **SB 219** the following: **SB 139** - state agencies; self-insurance rates changes; **SB 644** - workers compensation, bill dispute resolution; and **HB 2907** - civil procedures; filing of cross appeals; plus other items agreed to during the medication process.

Revisor Bob Nugent provided the committee with a bill draft which would become **House Substitute for SB 219**, which includes the above bills and the amendments agreed to by the mediation team.

Phil Harness, Director of the Workers Compensation Division, Kansas Department of Human Resources, gave a brief overview of the amendments included in **H Sub SB 219**. (Attachment 1) He answered many questions from the committee. Changes to the draft that need to be made are: 1) on page 22, line 1, strike after 50%, "~~for the benefit of~~" and add "to" so that it reads "50% to the dependent children." and 2) on page 24, the last line of section (e), after "maximum", add "*nor be less than the minimum*", so to read "maximum nor be less that the minimum weekly benefits provided in subsection (a)."

Tom Whitaker, Kansas Motor Carriers, explained the change in the standards for drug testing. The federal standards had been changed after the bill left the Senate and before it was heard in committee and **H Sub for SB 219** reflects these changes. It was brought to the Revisor's attention that 6-Acetyl morphine (to be cross-referenced to footnote 4) was omitted from the list of drugs on page 14 of the bill draft and it will be added, footnote 4 is already in the bill draft. (Attachment 2)

A letter from Andrew Sabolic, National Council on Compensation Insurance, Inc., shows the cost impact that passing this bill would have on the workers compensation insurance costs. (Attachment 3)

Rep. Beggs made a motion to pass out H Sub SB 219 favorably for passage with the above three changes in the bill draft. The motion was seconded by Rep. Ruff. The motion carried. Rep. Humerickhouse requested that his no vote be recorded. Rep. McCreary asked to be recorded as a non vote, as he had not had time to read the lengthy bill draft.

CONTINUATION SHEET
MINUTES OF THE HOUSE BUSINESS, COMMERCE AND LABOR COMMITTEE, Room
521-S Statehouse, at 9:00 on February , 2000.

Chairman Lane adjourned the meeting at 8:40 a.m. No other meetings are planned for this year.