

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE.

The meeting was called to order by Chairperson Senator Susan Wagle at 1:30 p.m. on February 7, 2002 in Room 231-N of the Capitol.

All members were present except: Senator Nick Jordan  
Ms. Margaret Cianciarulo, Administrative Assistant

Committee staff present: Ms. Emalene Correll, Kansas Legislative Research Department  
Ms. Lisa Montgomery, Revisor of Statutes  
Ms. Mary Best, Administrative Assistant

Conferees appearing before the committee: Mr. Richard Morrissey, Director of the Office of  
Local and Rural Health  
Ms. Joye Huston, R.N. And Administrator of Jefferson  
County Memorial Hospital & Geriatric Center  
Mr. Tom Sipe, Director of Regulatory Activities  
KS Hospital Association  
Ms. Lesa Roberts, Director, Health Occupations  
Credentialing, KDHE

Others attending: See attached guest list.

**Hearing on SB417 - an act relating to critical access hospitals; concerning length of stay for inpatient hospitalizations**

With the call to order, Chairperson Wagle announced that before the hearing, Ms. Emalene Correll, Kansas Legislative Research Department, would present a brief overview of the bill. The highlights of Ms. Correll's overview were on definition updates and the new language of "critical care hospitals" which brings Kansas into compliance.

Chairperson Wagle then introduced Mr. Richard Morrissey, Director of the Office of Local and Rural Health who stated the statute was written to reflect Medicare's more restrictive original conditions of Participation for the Critical Access Hospital Program created through the Balanced Budget Act of 1997. But it was not clear in defining the maximum number of acute care beds stipulated in the Medicare Conditions of Participation. He stated that modifying this statute will enhance access to care in rural areas without any administrative or fiscal impact to the state government. Lastly, he recommends that the statute be modified to read that facilities must maintain an annual average length of stay not to exceed 96 hours for acute care patients, and that CAH's must not exceed 15 beds at any time for acute care inpatient services. A copy of his testimony is (Attachment 1) attached hereto and incorporated into Minutes by reference.

The next proponent to testify was Ms. Joye Huston, R.N. and Administrator of Jefferson County Memorial Hospital and Geriatric Center, who provided a scenario to assist in understanding the dilemmas faced in trying to comply with the current 96-hour time line. A copy of her testimony is (Attachment 2) attached hereto and incorporated into Minutes by reference.

The last proponent was Mr. Tom Sipe, Director of Regulatory Activities, Kansas Hospital Association, who stated this modification is a significant expansion of program eligibility for small rural hospitals which are most in need of federal financial assistance provided by cost based reimbursement for their Medicare patients. A copy of his testimony is (Attachment 3) attached hereto and incorporated into Minutes by reference.

As there were no opponents or written testimony, Chairperson Wagle asked for questions or comments from the Committee. Senator Praeger felt that strong leadership is the reason Kansas has this program and stated that Kansas is one of the 7 original states to enact the program, a God-send for rural areas. Mr. Sipe's concurred. Senator Barnett asked what the average length of stay was. The response from the proponents was "not sure".

With no further discussion of the above bill, Chairperson Wagle announced that the Committee would act on this the following week if possible.

### **Hearing on SB418 - an act concerning adult care home administrators; relating to the board for inpatient hospitalizations**

Chairperson Wagle then moved on to the hearing of SB418, an act concerning adult care home administrators. Center for Health and Environmental Statistics. Again, Chairperson Wagle asked that Ms. Correll present a brief overview of the bill. And again, the highlights covered were the technical language changes, additional fees, and how the bill will give new authority to the Board.

Chairperson Wagle then introduced the only person to testify regarding this bill. Ms. Lesa Roberts, Director, Health Occupations Credentialing, KDHE, stated this bill is the result of recommended changes at the advice of its General Counsel. She stated that the bill: amends K.S.A.65-3503 to clarify the Board's authority to assess fees for license replacements and duplicate licenses; at K.S.A. 65-3504 the added language clarifies the Board's authority to establish standards of character, training, & experience as eligibility criteria for admission to examination for licensure; and, K.S.A. is amended so that the Board's final orders will be issued in accordance with the KS Administrative Procedure Act (KAPA). A copy of her testimony is (Attachment 4) attached hereto and incorporated into the Minutes by reference.

Chairperson thanked Ms. Roberts and asked for questions or comments from the Committee. Only Senator Salmans had a question about the bill and Ms. Roberts answered. Chairperson Wagle then said that the Committee would take action next week on the bill

### **Adjournment**

Adjournment time was at 2:00 p.m.

The next meeting is scheduled for February 12, 2002.

CONTINUATION SHEET