

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Vice Chairperson Peggy Mast at 1:30 P.M. on March 18, 2008 in Room 526-S of the Capitol.

All members were present except:

Representative Landwehr, excused

Committee staff present:

Norman Furse, Revisor of Statutes Office

Cindy Lash, Legislative Research Department

Chris Haug, Committee Assistant

Conferees appearing before the committee:

Brenda Walker, Director Bureau of Disease Control and Prevention, KDHE

Kathy Damron, Representing Sanofi-Pasteur

Gianfranco Pezzino, M.D., M.P.H. Associate Director of Public Health Systems, Kansas Health Institute

Mark Stafford, General Counsel, State Board of Healing Arts

Dan Morin, Director Governmental Affairs, Kansas Medical Society

Others Attending:

See Attached List.

Vice Chairperson Mast opened the hearing on **SB529 - Educational awareness regarding meningococcal meningitis vaccine.**

Cindy Lash, Kansas Legislative Research Department gave a briefing on **SB529**. This bill provides educational awareness of the importance of the vaccination for Meningitis during grades 6 through 12. There will be no fiscal effect on the State, the school districts will provide the information.

Brenda Walker, Director Bureau of Disease Control and Prevention for KDHE spoke in favor of **SB529**. (Attachment 1) The KDHE feels this educational awareness will give the incentive for more students to receive the vaccination against meningitis and other infectious diseases. There was discussion about whether these immunizations are currently required. Ms. Walker said they are currently recommended, not required.

Kathy Damron, representing Sanofi-Pasteur, provided testimony in support of **SB529**. (Attachment 2) Her testimony provided the recommended immunization schedule for people aged 7-18 and listed the 10 different vaccines. She also provided testimony from Andy Marso, who suffered meningitis when he was a student at KU. There was discussion about how the education on meningitis would be dissimulated. Ms. Damron said the local health departments get the information out to the schools, so it would not be a cost driver to the schools.

Written Testimony in support of the bill was provided by Bob Williams, Executive Director KAOM. (Attachment 3)

Dan Morin, Kansas Medical Society provided written testimony in support of this bill. (Attachment 4)

The hearing on **SB529** was closed.

The hearing on **SB548 - School-based influenza vaccination pilot program** was opened.

Ms. Lash gave a briefing on this bill. This bill would require the department of environment to increase flu vaccination awareness and participation for young children 6 months to five years old when they are enrolled in day care facilities. KDHE would also have a responsibility for school aged children. They would conduct a study to see if it were feasible to conduct a school based vaccination pilot program. This would just be a feasibility study. They would be required to submit a report to the joint committee on health policy oversight prior to the 2009 session. SRS would have expenditures of \$17,400 for mailings and KDHE estimates \$20,000 for preparation of the report.

CONTINUATION SHEET

MINUTES OF THE House Health and Human Services Committee at 1:30 P.M. on March 18, 2008 in Room 526-S of the Capitol.

Proponents:

Brenda Walker, Director Bureau of Disease Control and Prevention, KDHE provided testimony in support of **SB 548**. ([Attachment 5](#)) Ms. Walker stated influenza affects 5-20% of the US population each year. Assessing the feasibility of the delivery of influenza immunizations in the school setting is an important first step.

Gianfranco Pezzino, M.D., M.P.H. Associate Director of Public Health Systems, Kansas Health Institute spoke in support of this bill. ([Attachment 6](#)) The focus on schools is important because of the high incident of transmission in our schools.

Written Testimony in support of **SB548**:

Bob Williams, Kansas Association of Osteopathic Medicine ([Attachment 7](#))

Dr. Ann Elliot, Student Services, School District 437 ([Attachment 8](#))

Dr. Ellen Losew, M.D., F.A.A.P. ([Attachment 9](#))

Dr. Daniel Reynolds, D.O. ([Attachment 10](#))

Allyn Bandell, MedImmune Way ([Attachment 11](#))

Dan Morin, Kansas Medical Society ([Attachment 12](#))

The hearing on **SB548** was closed.

The hearing on **Sub SB596- Board of Healing arts; cosmetic or aesthetic purpose included in the practice** was opened.

Ms. Lash gave a briefing on **Sub SB596**. This bill adds to the healing arts act, a definition of the term, "surgery". This bill clarifies surgical procedures are within the scope of the medicine and surgery profession even when performed solely for cosmetic or aesthetic purposes.

Proponents:

Mark Stafford, General Counsel, State Board of Healing Arts, spoke in favor of **Sub SB596**. ([Attachment 13](#)) Mr. Stafford stated the Board seeks clarification of the scope of surgery because surgical services are being used for cosmetic or aesthetic purposes. Some of these services are performed by physicians and some are not. This bill defines surgery in definite terms and clearly identifies that cosmetic or aesthetic surgery is the practice of medicine and surgery.

There was discussion as to whether a procedure such as Liposuction could be performed by anyone, in any setting, with the current law. Mr. Stafford said that it could. Rep. Patton felt the definition of surgery was too broad. Mr. Stafford said it was broad enough to cover the surgical processes we currently use or develop in the future. There was discussion about the ear stapling procedure. Mr. Stafford felt this fell under the surgical category. Further discussion occurred about persons rendering aid in an emergency situation. Mr. Stafford clarified page 2, line 20-21 allows for people to offer gratuitous service in an emergency. Mr. Stafford could not say whether the scarification process was a widespread problem in Kansas, but there are instances of it occurring in Kansas.

Dan Morin, Director Governmental Affairs, Kansas Medical Society gave testimony in support of this bill. ([Attachment 14](#)) The Kansas Medical Society has a real problem with the tongue splitting procedure. Performing the procedure is one thing, but responding to a problem from the procedure is another. When you are doing this type of procedure it is important to have someone who is licensed and trained to handle the consequences if something goes wrong.

Written testimony as neutral was provided by Terri Roberts, Kansas State Nurses Assoc. ([Attachment 15](#))

Written testimony in support of the bill was provided by Bob Williams, Kansas Association of Osteopathic Medicine. ([Attachment 16](#))

The hearing on **Sub SB596** was closed.

The meeting was adjourned at 2:15 P.M. The next meeting was scheduled for March 19, 2008.

CONTINUATION SHEET

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