

Approved _____

Date 3-7-85
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MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by Marvin L. Littlejohn at
Chairperson

1:30 a.m./p.m. on March 6, 1985 in room 423-S of the Capitol.

All members were present except:

Committee staff present:

Emalene Correll, Research
Norman Furse, Revisor
Sue Hill, Secy. to Committee

Conferees appearing before the committee:

Mr. James Simpson, Legal Counsel for Western Consortium for Health Professions, Inc.
San Francisco, California.

Visitor's register, (see Attachment No. 1.)

Chairman called meeting to order immediately after adjournment of House when a quorum was present. Time was 2:02 p.m.

Chair recognized Rep. Hassler, who introduced Mr. James Simpson of San Francisco, California. Mr. Simpson is with Western Consortium for Health Professions, Inc., and spoke to committee in regard to certificate of Need, (CON), and related items. He touched briefly on insurance reform and health services. Certificate of Need, he indicated is aimed at facility duplication and not to market failure. A deadline of October, 1986 will become in effect, and states must then have a Section 1122 Program in effect. However, he said, some states that are satisfied with their CON program can ask perhaps to be allowed to have their CON program kept in place rather than the Section 1122 Program be put in effect. Mr. Simpson gave a very interesting talk on these events. Chair thanked Mr. Simpson for taking the time from his busy schedule to talk before this committee.

Chair recognized Janice Hargenbarger of Health and Human Services in Kansas City, Kansas, and with her was Ms. Carolyn Smith from Brisbain, Australia. Ms. Smith is a foreign exchange student and in the Capitol today to observe our law making process.

Chair drew attention of committee to bill discussion and action.

HB 2492: Legislation that would allow Health and Environment to assess civil penalties.

Chair asked wishes of committee in regard to HB 2492.

Rep. Branson made motion to report HB 2492 favorably out of committee, seconded by Rep. Blumenthal. Lengthy discussion ensued, i.e., concerns in regard to eliminating an inspection report of Adult Care Homes when a deficiency report has been issued; due process would not be eliminated as the Adult Care Home provider would have opportunity to appeal as before; just how significant would savings be to Department of Health and Environment; list of infractions of some Adult Care Homes was read and is of great concern; shortened process to assess civil penalties is of concern; an exit report is given to the provider after deficiencies has been noted.

Vote taken on HB 2492, division requested, show of hands indicated 6 in favor, and 11 against. This motion failed, and HB 2492 remains in committee.

HB 2497: This would allow Secy. of Health and Environment to issue temporary permits.

Chair recognized Mr. Furse, Revisor, who recommended some technical changes in HB 2497. In line 33, "1983 Supp", should be inserted before reference to sec. 2., and line 130, the reference to K.S.A. 65-601 should be stricken and "65-501" inserted in lieu thereof. He explained the technical reasons for these necessary changes.

CONTINUATION SHEET

MINUTES OF THE _____ HOUSE COMMITTEE ON _____ PUBLIC HEALTH AND WELFARE _____,
room 423-S, Statehouse, at 1:30 a.m./p.m. on March 6, _____, 19 85

HB 2497 continues:

Rep. Hassler made a motion that HB 2497 be passed out of committee favorably as amended, with amendment suggested by Staff. Motion seconded by Rep. Harder. There was lengthy discussion, i.e., presently there is a short supply of homes competently caring for children, so perhaps this would serve as a means to help more quickly care for "at risk and deprived children"; discussion on definition on "morals", and Secretary Sabol was invited by Chair to answer some questions at this point. Question called, vote taken, motion carried. HB 2497 passed favorably as amended.

HB 2338: Granting of temporary permits and to licensure by exam, by Bd. Of Healing Arts.

Chair recognized Norman Furse revisor, for some technical recommendations in regard to HB 2338. Page 4, line 142, after the word sciences, insert "after July 1, 1986", line 145 before the word "if", insert, "in addition", and line 147 strike the words, "American medical association's council", and insert "Commission", in lieu thereof.

Chair called attention to balloon amendment of HB 2338, (see Attachment No. 2), for details. Rep. Buehler moved to adopt amendment as shown on balloon, seconded by Rep. Friedeman. There was discussion on language of balloon.

Rep. Bideau made a substitute motion for an amendment. Page 5, line 161, after the word renewed, insert the language, "not more than once". Second to motion made by Rep. Blumenthal. Discussion ensued. Question called, vote taken, motion failed.

Rep. Foster made substitute motion to accept the balloon amendment along with the Revisor's suggested technical amendments on HB 2338, seconded by Rep. Buehler, more discussion. Vote taken, chair in doubt, show of hands indicated 8 in favor, and 9 against. The motion failed.

Rep. Foster made a substitute motion to adopt the technical amendments suggested by revisor, plus the necessary change in statute law in K.S.A. 65-2852, having it read, "institutional permit", rather than "fellowship license." This motion seconded by Rep. Williams, vote taken, motion carried.

Discussion continued on HB 2338, and there are still a number of concerns. Rep. Friedeman moved to table HB 2338 until meeting tomorrow, seconded by Rep. Buehler. Vote taken, motion carried.

May it be recorded fiscal note on HB 2504 was distributed to members, (see Attachment No. 3), for details.

Chair announced to committee there are is a large number of bills yet to take action on in the remainder of meetings this week.

Adjourned at 3:10 p.m.

0157 or employed by any institution within the department of correc-
0158 tions and only within the institution to which the institutional
0159 permit holder is assigned, but no institutional permit shall be
0160 valid for more than two consecutive years following the date of
0161 original issuance. The institutional permit may be renewed after
0162 such two-year period if the applicant is eligible to obtain an
0163 institutional permit under this section.

"not more than once"

upon the recommendation
of the permit holder's
supervisor.

0164 (c) Any person who holds a valid fellowship license under
0165 K.S.A. 65-2895 and amendments thereto ~~on the day immediately~~
0166 ~~preceding the effective date of this act~~ shall be considered for the
0167 purposes of this section to hold an institutional permit, which
0168 institutional permit shall continue to be effective until the date
0169 when the fellowship license was to expire and shall expire on
0170 that date;

on January 1, 1985, or
thereafter;

or until July 1, 1985,
whichever is later.

0171 (d) This section shall be part of and supplemental to the
0172 Kansas healing arts act.

however, any such
institutional permit shall
be renewable pursuant to
subsection (b) of this
section.

0173 Sec. 5. K.S.A. 65-2873, 65-2874 and 65-2895 and K.S.A. 1984
0174 Supp. 65-2811 are hereby repealed.

0175 Sec. 6. This act shall take effect and be in force from and
0176 after its publication in the statute book.

Attn. # 2
3-6-85

Don Strole's amendment.

attn #3
3-6-5

260
Fiscal Note
1985 Session
March 5, 1985

2504
Bill No.

The Honorable Marvin Littlejohn, Chairperson
Committee on Public Health and Welfare
House of Representatives
Third Floor, Statehouse

425-N

Dear Representative Littlejohn:

SUBJECT: Fiscal Note for House Bill No. 2504 by Committee
on Public Health and Welfare

In accordance with K.S.A. 75-3715a, the following fiscal
note concerning House Bill No. 2504 is respectfully submitted to
your committee.

House Bill No. 2504 amends K.S.A. 75-5359 to increase the
statutory maximum for application or renewal fee for a social
work license from \$50 to \$75. The statutory maximum for the
examination fee for social workers is also increased from \$50 to
\$75.

The Behavioral Sciences Regulatory Board indicates that the
current application and renewal fees for a social work license
and the current examination fees are at the statutory maximum of
\$50. House Bill No. 2504 would allow the Board to increase
these fees to \$75. Assuming that 2,078 people apply for or
renew a social work license and 514 people take or retake an
examination, and the fees are increased to the proposed maximum,
an additional \$64,800 in revenues could be generated in fiscal
year 1986. Twenty percent or \$12,960 of the additional fees
collected would be deposited in the State General Fund, and the
remaining \$51,840 would be available for agency operations. The
Behavioral Sciences Regulatory Board indicates that it intends
to increase the license application and renewal fees by \$10 to
\$60, and the exam fee by \$15 to \$65. This would generate
\$28,490 annually, of which \$5,698 would be deposited to the
State General Fund and \$22,792 would be available for agency
operations.

Any receipts to the special revenue fund or the State
General Fund as a result of passage of House Bill 2504 would be
in addition to amounts contained in the FY 1986 Governor's
Budget Report.

Alden K. Shields
Alden K. Shields
Director of the Budget

AKS:PS:sr

attn #3
3-6-85