

Approved April 11, 1986
Date

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY

The meeting was called to order by Senator Robert Frey at
Chairperson

12:30 ~~am~~/p.m. on April 1, 1986 in room 519-S of the Capitol.

~~All~~ members ~~were~~ present ~~except~~ Senators Frey, Hoferer, Burke, Feleciano, Gaines, Langworthy, Parrish, Steineger, Talkington, Winter and Yost.

Committee staff present: Mary Hack, Revisor of Statutes
Mike Heim, Legislative Research Department
Jerry Donaldson, Legislative Research Department

Conferees appearing before the committee:

House Bill 2661 - Medical malpractice and health care provider regulation.
Re. Proposal No. 47.

The chairman read Senator Francisco's proposed amendment that would establish an experience rating scale for participants into the stabilization fund. Senator Gaines moved to adopt the proposed amendment. Senator Talkington seconded the motion, and the motion carried.

The second proposal by Senator Francisco would provide any individual contributor to the fund should be entitled to this information. Senator Burke moved to adopt the amendment. Senator Feleciano seconded the motion, and the motion carried.

The third proposal by Senator Francisco would include the certified nurse anesthetist on the Board of Governors. Following committee discussion, Senator Talkington moved to adopt the third proposal. Senator Gaines seconded the motion, and the motion carried.

A committee member referred to page 30, Section 29, concerning premiums that are charged for a fund. The committee member felt it should be the same premium charge for the fund. Another committee member was concerned that insurance companies don't merit rate physicians. Following committee discussion, Senator Parrish moved to reinsert the language in Section 29 that was in this summer. Senator Feleciano seconded the motion. Following further discussion, Senator Parrish withdrew her motion. Senator Feleciano moved to amend the bill to reinstate the stricken language in Section 25 of the bill to establish the experience rating system and provide it applies to the basic premium also. Senator Steineger seconded the motion. The motion failed.

Senator Parrish made a conceptual motion to amend the bill in Section 29 to make it compatible with Section 25. Senator Winter seconded the motion, and the motion carried.

Senator Talkington moved to amend the bill as indicated on the print out on page 29, line 114, that any award for supplemental benefits shall be paid from the health care stabilization fund. Senator Winter seconded the motion, and the motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON JUDICIARY,
room 519-S, Statehouse, at 12:30 ~~am~~ p.m. on April 1, 1986

House Bill 2661 continued.

A committee member requested an explanation be placed in the minutes concerning the experience rated system. The committee will consider how many reports the health care provider has had, the areas of classification, and the type of medicine the doctor practices.

The chairman pointed out clarified annuities would be set up to clearly identify that it was further medical.

A committee member explained the first award is pain and suffering. In Subsection (3) the pain and suffering amount and \$1 million current economic loss would be entered as a judgment. What is left over is to fund an annuity for future economic loss. In Section 28, if annuity is insufficient application can be made to meet those expenses.

Following the committee discussion, Senator Talkington moved to report the bill favorably as amended. Senator Gaines seconded the motion, and the motion carried.

The meeting adjourned.

Copy of the guest list is attached (See Attachment I).

GUEST LIST

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COMMITTEE: SENATE JUDICIARY COMMITTEE

DATE: 4-1-86

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
R. E. Arbutnot	Topeka	ETHA
Kelli Resch	Lawrence	KTLA
Bill Morrissey	Topeka	KDHR/WC
Joni Class	"	United Way
Jim Robertson	Topeka	SPS
Samuel Quinn	"	KAOM
JOHN B RATHMEL	"	KDHR/WC
Frank Hutchinson	Topeka	KS Medical Society
Frederic Mitchell	Topeka	KID
Tommy G. G. G.	"	KMS
Tom Bell	"	KHA
John McNeil	"	KMS
Byron Caloz	Piercerville, KS 67868	KANZ-FM
Pat [unclear]	Topeka	KMS
Maria Fisher Lisenburg	Topeka	"
Pat Davis	Topeka	Governor's Office
Marjorie Van Buren	Topeka	OJA
Nancy Inge	Topeka	Governor's Office
Pat Goodson	Right To Life	
Sandy Boser	"	
[unclear]	Topeka	KBI
Lois Tebo	"	KAC
Theresa Spivey	Topeka	KANSAS NARAL
[unclear]	Nebraska	
[unclear]	Garnett, Ka	Judge

Attach. I

