

Approved 3-18-86
Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by SENATOR ROY M. EHRLICH at
Chairperson

10:00 a.m./~~p.m.~~ on March 6, 1986 in room 526-S of the Capitol.

All members were present except:

Committee staff present:

Emalene Correll, Legislative Research
Bill Wolff, Legislative Research
Norman Furse, Revisors Office
Clarene Wilms, Committee Secretary

Conferees appearing before the committee:

Others present: See attached list

SB-569 - An Act concerning emergency medical services; providing grants-in-aid for the establishment and development of emergency medical services and systems; creating the emergency medical services development fund; granting certain powers to and imposing certain duties upon the superintendent of the Kansas highway patrol and emergency medical services council.

Due to the fact that the Fiscal note for SB-569 was received just prior to the committee meeting and had not been distributed to members, Senator Hayden requested final action be delayed until tomorrow, March 7, 1986.

SB-580 - An Act relating to adult care homes; providing for the assessment of civil penalties;

There was some discussion by committee members who felt that the available powers were not being used to the fullest extent at present. The department now has the authority to affect corrections or close the unit down.

Senator Walker moved to report SB-580 unfavorable with a second by Senator Morris. Final vote was postponed until Senator Anderson returned from page pictures. The Chairman later called for a vote on SB-580. Division was called for and the vote was 6 for and 4 opposed. Motion carried. Senator Anderson requested his no vote be recorded.

SB-588 - An Act relating to adult care homes; providing for the reimbursement of nursing care services.

Senator Francisco offered an amendment to SB-588. Attachments I and II The senator stated he was hoping to establish a reasonable limit on nursing salaries and went through the changes the amendment would make.

Senator Francisco moved that SB-588 be amended as outlined. Senator Mulich seconded the motion. Extensive discussion followed with various points made as follows: The proposed changes were very substantial and no hearings had dealt with these changes. No financial impact information had been received on the original bill and the impact of this bill and amendment were estimated at a million dollars. It was suggested that the bill be sent to Federal and State Affairs or Ways and Means and returned to the committee. Senator Francisco wanted the amendment on the bill prior to its being sent to Ways and Means or Federal and State. Staff explained that the bill could not be amended prior to being sent to Ways and Means or Federal and State Affairs. The chair called the question to vote on the amendment. The motion carried.

The concensus of the committee was to request the Chairman to write a letter to the President of the Senate requesting that SB-588 be assigned to Ways and Means Committee or Federal and State Affairs and be returned to this committee.

Meeting adjourned 10:55 Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

SENATE
PUBLIC HEALTH AND WELFARE COMMITTEE

DATE 3-6-86

(PLEASE PRINT)

NAME AND ADDRESS

ORGANIZATION

HAROLD C. PITTS

KCOA

MARILYN BRADT

KINH

BARB POINETT

Planned Parenthood

Theresa Shueh

KANSAS NARAL

LM CORLSTH

Ks Assoc of P/C

Richard Harmon

KS Assoc of P/C

Wayne Morris

Security Benefit Life

LEE WRIGHT

FARMERS INS. GROUP

John Peterson

Ks Assn Prof Psychologists

Margaret Bease

LWVK

SENATE BILL No. 588

By Senators Francisco, Ehrlich, Hayden, Montgomery,
Mulich, Vidricksen, Walker and Warren

2-11

AMENDMENT

PURPOSE: To establish a reasonable limit on nursing salaries. There are 17 SRS area offices. The average nursing salary of all nurses, plus a maximum of 20 percent above the average, would be the cap on salaries. Average salaries would be determined in each of the SRS office areas annually.

0018 AN ACT relating to adult care homes; providing for the reim-
0019 bursement of nursing care services.

0020 *Be it enacted by the Legislature of the State of Kansas:*

0021 Section 1. (a) As used in this section, the term "intermediate
0022 nursing care home" shall have the meaning ascribed thereto in
0023 subsection (a) of K.S.A. 39-923 and amendments thereto.

0024 ~~(b) The total additional allowable costs incurred by an inter-
0025 mediate nursing care home participating in the title XIX medic-
0026 aid program as an intermediate care facility, for providing li-
0027 censed nursing personnel coverage, as may be required by the
0028 secretary of health and environment and the secretary of social
0029 and rehabilitation services, in excess of eight hours a day, five
0030 days per week, shall be reimbursed to the intermediate nursing
0031 care home by the department of social and rehabilitation ser-
0032 vices. Such reimbursement shall commence within 60 days from
0033 the date the department of social and rehabilitation services
0034 receives notification from the intermediate nursing care home of
0035 the additional nursing coverage.~~

0036 (c) Reimbursement for such additional nursing coverage
0037 shall not be subject to cost center percentile limitations or any
0038 other limitations imposed by the secretary of social and rehabil-
0039 itation services.

0040 Sec. 2. This act shall take effect and be in force from and
0041 after its publication in the statute book.

AMEND TO READ: (b) The reasonable costs incurred by an intermediate care facility for providing 24-hour a day licensed nursing care, as required by the secretary of health and environment, shall be reimbursed to the adult care home by the secretary of social and rehabilitation service within 60 days from the date that the agency is notified by the adult care home of the additional nursing coverage.

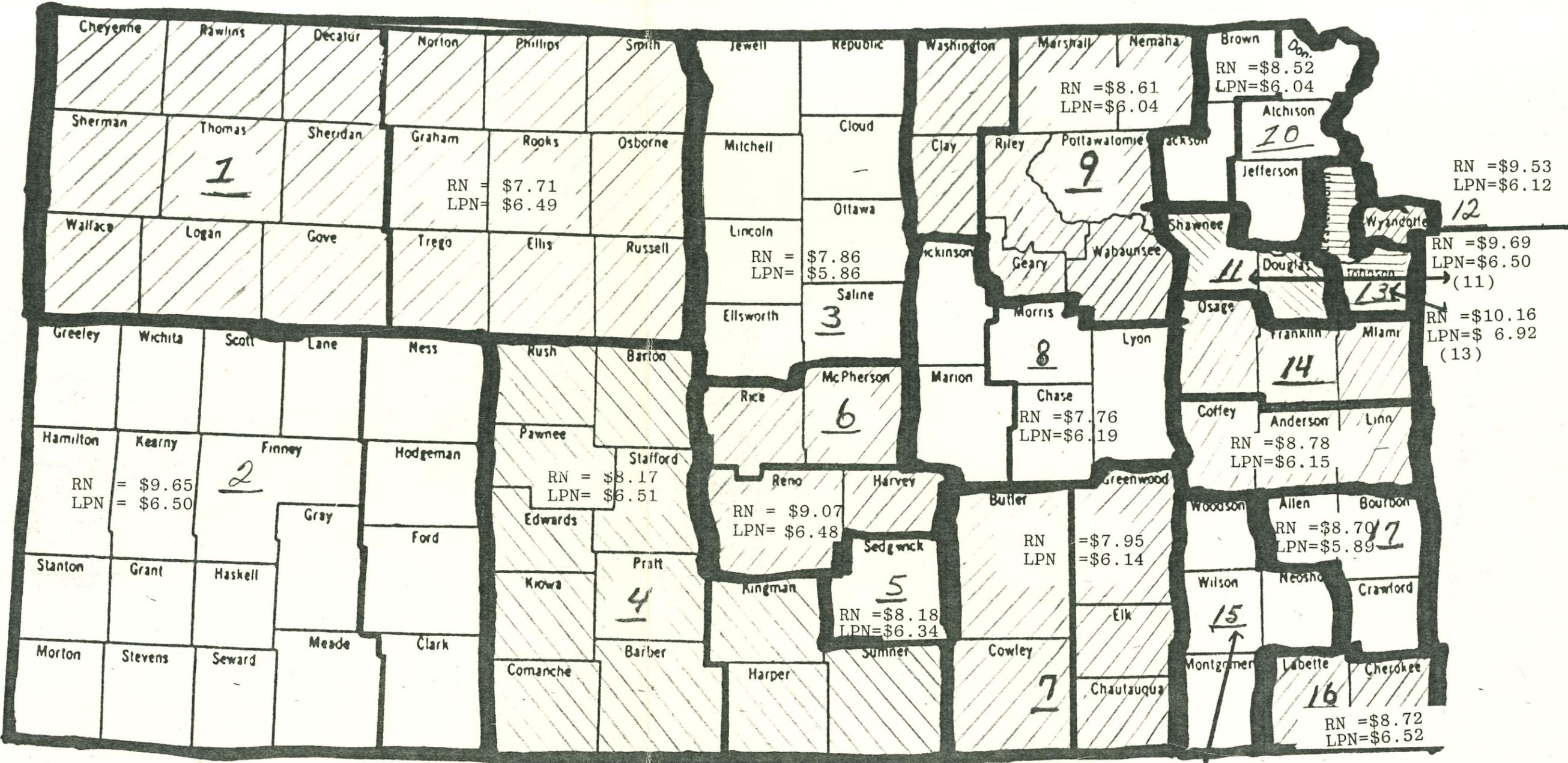
ADD SECTION (d). The reasonable cost allowed for a licensed nurse shall be determined to be the average salary plus a maximum of twenty-percent above the average of the class of licensed nurses in the respective department of social and rehabilitation agency area office geographical location in which an adult care home is located. Average salary levels shall be determined and adjusted annually by the department of social and rehabilitation services.

Attachment I

SEVENTEEN. SRS AREA OFFICES
 Average Wages Paid to Nursing Home R.N.
 And LPN by Area Office Location. Data
 As Of January 1985. (SRS Salary Survey)

SRS STATE AVERAGE

1. LPN -----\$6.31 hr.
 MED AIDE--\$4.37 hr.
 Difference--\$1.94 hr
 is maximum allowed by
 SRS Regulation.
2. RN Average \$8.70
 per hour.



FOOTNOTE: 1. Nursing Homes in SRS Areas 1,2,4,5,6,11 and 13 are all over \$6.31 per hour. If an upper limit increase is not allowed, they should be considered for an automatic waiver from the requirement for 24-hour nursing.

2. The \$6.31 per hour LPN limit is also applied against RN salaries; thus precluding adult care homes from offering a competitive salary for RNs and being reimbursed reasonable costs. [Of total number of nurses in Kansas, 74% of them are RNs.]

3. The LPN average limit of \$6.31 per hour does not include benefit payments which range from 15-20 percent more.

RN = \$8.07
 LPN = \$5.20
 (15)