

Approved:

Feb. 24 1993
March 10, Date sh

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE.

The meeting was called to order by Chairperson Joann Flower at 1:30 p.m. on February 23, 1993 in Room 423-S of the Capitol.

All members were present except:
Representative Tom Bishop, excused

Committee staff present: Emalene Correll, Legislative Research Department
William Wolff, Legislative Research Department
Norman Furse, Revisor of Statutes
Sue Hill, Committee Secretary

Conferees appearing before the committee:
Representative Everhart
Robin Robinson
Mrs. Robinson
Dr. Loren Phillips, State Registrar for office of Vital Statistics
Director of Division of Information Systems,
Department of Health and Environment
Tom Bell, Kansas Hospital Association
Gary Stotts, Secretary of Corrections

Others attending: See attached list

Chair called the meeting to order.

The Chair drew attention to one set of minutes from February 17. She urged members to read them, and if there are corrections call the secretary of the Committee by 5:00 p.m. tomorrow (February 24), otherwise these minutes will be recorded approved as presented.

Chair called attention to a letter that had been sent to Dr. Harder today. See (Attachment No.1). The Chair stated she wants the Committee to be privy of what was said, how questions were raised in regard to the physical therapy licensing, registration, and scope of practice issues that the Committee has been dealing with.

Representative Heineman could not schedule an appearance for testimony again today on HB2343.

Chair drew attention to the agenda and requested a staff briefing on HB2203.

Dr. Wolff gave a comprehensive explanation of HB2203, that relates to adoption of a child born and adopted in a foreign country, i.e., the State register, upon request, shall complete a birth certificate on the receipt of a document concerning the adoption approved by Immigration and Naturalization Service of the U.S. Department of Justice, and also along with that will be certain documented proof required of the adoption of the child.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE, Room 423-S
Statehouse, at 1:30 p.m. on February 23, 1993.

CHAIR OPENED HEARINGS ON HB 2203.

Representative Everhart offered hand outs, (Attachment No. 2, her written testimony, 2-A, a memorandum of a court order, 2-B, Romanian birth certificate form #127469, 2-C Romanian birth certificate form #127490.) Rep. Everhart stated she requested this legislation in order to respond to a situation faced by Mr. and Mrs. Robinson's problems in trying to obtain Kansas birth certificates for their two children born in Romania. The birth certificates obtained in Romania are inaccurate. This couple is requesting Kansas birth certificates for their 2 adopted children. She stated the local court says they cannot re-adopt children that are already adopted, therefore a Kansas birth certificate cannot be issued. Mr. and Mrs. Robinson are hopeful this situation can be rectified by the passage of HB2203.

Mr. Robin Robinson stated Representative remarks by Rep. Everhart covered the situation regarding their quest for birth certificates for their two adopted children born in Romania. He detailed problems they have faced with a court decision in Shawnee County that disallows re-adoption. He stated they are in possession of Naturalization papers for the children and feel that a birth certificate issued in this state would also be beneficial for the children, should they need to produce this document later in their lives. A great deal of time and money has been spent trying to resolve this issue.

Mrs. Robinson related much the same story. She is concerned that if something should happen to the one copy of the Romanian birth certificate, they would be unable to obtain other documents that require a birth certificate. She detailed problems they experienced in Romania.

Dr. Phillips, State Registrar of Vital Statistics, offered hand out (Attachment No.3). He detailed the fundamental principle in recording vital statistics, and noted the few exceptions, i.e., when a child is born in another state or country, and adopted in Kansas, they can be issued a Kansas birth certificate. (K.S.A.65-2423 (b)). He stressed concerns with HB2203, i.e., to issue a birth certificate to a foreign born child, adopted in a foreign country, the state will be opening itself up for a major source of fraud. He noted that Immigration and Naturalization Services agrees with this point. He is concerned that Kansas would become a dumping ground for anyone who simply wanted to say they had adopted a child. This could open the potential for fraud and kidnapping. Without constraints, there is nothing to prevent an individual filing a birth certificate in several states, setting up a system of identification for a kidnap victim, possibly collecting public assistance, getting a driver's license. In his discussions with the Department of Immigration and Naturalization, he noted, there are no forms or documents or formal process in place that deals with a foreign born, foreign adopted child. It is his understanding that Rep. Everhart has some other ideas, and he noted the Department will be willing to take a look at other suggestions. He stated, the fundamental point he was trying to make is, the civil registration system that is in place in this country is based on certain premises, i.e., that the event that occurred is registered in the jurisdiction in which the event took place.

Chair opened the meeting to questions of conferees on HB2203. It was determined that naturalization papers are most often sufficient. Rep. Mayans related his personal story, he is now a naturalized citizen, has a valid driver's license, and found that naturalization papers are adequate documents to obtain a passport.

The birth certificate for a foreign born child was explained; it was determined there are two other states that allow a birth certificate for a foreign born, foreign adopted child, Iowa and Georgia. It was determined there have been other similar cases that have been ruled in a different manner, in other areas, that have allowed re-adoption proceeding in the state of Kansas, then permitting the issuance of a Kansas birth certificate. The questions were raised to Mr. and Mrs. Robinson if they planned to appeal the decision of the Judge in Shawnee County. They replied they do not plan to do so.

CHAIR CLOSED HEARINGS ON HB2203.

Chairperson Flower requested a staff briefing on HB2407.

Dr. Wolff gave a comprehensive explanation of HB2407.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE, Room 423-S
Statehouse, at 1:30 p.m. on February 23, 1993.

HEARINGS BEGAN ON HB 2407.

Dr. Loren Phillips offered hand out, (Attachment No.4), stated that HB2407 had been requested by the Department of Health and Environment and he detailed rationale. He detailed the process of vital statistics used by the state of Kansas and noted, Kansas is regarded Nationally as the most automated vital statistics system in the United States. He stated a record can be generated in 12 seconds, however, there is a log jam at hospitals because the physicians are not getting the documents signed and sent on for the record keeping process. Currently there is no statutory authority for anyone other than the attending physician to sign the birth certificate if the birth occurs in an institution. The proposed legislation would allow a designated representative to certify that the birth did in fact take place in the hospital. He urged support.

Tom Bell, Kansas Hospital Association, (Attachment No. 5), stated support for HB2407. This legislation would in certain situations help to unclog the system and get the records on the bureau sooner. He urged support.

Numerous questions were posed, i.e., hospitals could make requirements of the attending physicians that these medical records be completed within the required time frame. It was noted it could be required, however enforcing this rule may be another matter. It appears to some members, this is an internal hospital matter, not a matter for the legislature to make a ruling.

CHAIR CLOSED HEARINGS ON HB2407.

Chair requested a staff briefing on HB2223.

Mr. Furse gave a detailed explanation of HB2223, drawing attention to a hearing scheduled previously on this legislation related to smoking in the Capitol. He noted, at an earlier date, the Committee had amended sub section (b) from HB2223 into HB2136 which was presented to the House and amended again by the House. It was suggested hearings be re-scheduled on HB2223 in order that those individuals involved with other state buildings might have an opportunity to present their testimony.

CHAIR OPENED HEARINGS ON HB2223.

Mr. Stotts, Secretary of Kansas Department of Corrections offered hand out (Attachment No.6). He stated the Department of Corrections views HB2223 as being consistent with the direction in which they are currently headed. At present, smoking is restricted to varying degrees within correctional facility offices, living units and other buildings. They have decided it will be in the best interest of everyone to apply a non-smoking policy throughout the corrections system. Reports regarding second hand smoke are startling. The Corrections Department will use the target date set out in the language in HB2223 (July, 1995), as their goal to implement this plan. They feel a policy of this type can be implemented effectively, if adequate lead time is allowed. There are programs currently being planned.

For the record, Mr. David Sofferin, Administrator's office, Topeka State Hospital was scheduled as a conferee, but did not appear.

Chair opened the meeting for questions from Committee members.

Numerous questions were asked, i.e., it was noted there is one warden who has accepted the responsibility of drafting a plan for non-smoking. The Corrections Department does not know where they will begin to implement such plans, or when, but plans are beginning to form and they feel it will work. Mr. Stotts noted, inmates are allowed to smoke outside; Corrections does not use cigarettes for earned privileges; counseling will be provided for both employees and inmates; it is hoped this program can be implemented without additional cost, but that is still an unknown factor. The state of Connecticut had implemented a plan of this type, but it did not work well because tobacco products then became contraband. It is agreed there will be problems with implementation, but the Department is confident programs of this kind can work.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE, Room 423-S
Statehouse, at 1:30 p.m. on February 23, 1993.

Mr. Stotts also indicated many states are looking at developing plans for programs that will curtail smoking in correction facilities. In the long run this type of a program will be the best for everyone. He noted Kansas Department of Corrections had begun a program before this legislation was introduced. If HB2223 passes in its current form with the July, 1995 date, that will be the target date the Department will strive to achieve for implementation.

CHAIR CLOSED HEARINGS ON HB2223.

Chair drew attention to HB2407, heard earlier this date, regarding vital statistics records from the hospitals, and suggested final action, if that is the wish of Committee.

Rep. Sader moved to report HB2407 adversely, seconded by Rep. Swall. No Discussion. Vote taken.
Motion carried.

Chair adjourned the meeting at 2:55 p.m.

The next meeting is scheduled for February 24, 1993.

HOUSE PUBLIC HEALTH AND WELFARE COMMITTEE

DATE _____

[illegible]

STATE OF KANSAS

JOANN FLOWER
REPRESENTATIVE, 47TH DISTRICT
JEFFERSON COUNTY
NORTHEAST DOUGLAS COUNTY
RT. 2, BOX 5
OSKALOOSA, KANSAS 66066
(913) 863-2918

STATE CAPITOL—426-S
TOPEKA, KANSAS 66612-1504
(913) 296-7684
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TOPEKA

HOUSE OF
REPRESENTATIVES

February 22, 1993

COMMITTEE ASSIGNMENTS

CHAIRMAN: PUBLIC HEALTH AND WELFARE
MEMBER: AGRICULTURE
HEALTH CARE DECISIONS FOR THE '90S
VICE-CHAIR: KANSAS COMMISSION ON
EPILEPSY
GOVERNOR'S ADVISORY COUNCIL
ON AGING

Dr. Robert Harder, Secretary
Department of Health and Environment
9th Floor, Landon State Office Building
Topeka, Kansas 66612

Dear Dr. Harder:

The House Committee on Public Health and Welfare has before it several bills that concern the level of credentialing of health care providers and the appropriate scope of practice of such providers. During the Committee hearings on the bills several questions have arisen that I am addressing to you on behalf of the Committee.

The physical therapists are seeking statutory authorization to allow them to treat individuals for up to 21 days without a physician evaluation or referral. In seeking such autonomy, it appears that the physical therapists registration act which currently protects only the title "physical therapist" or "registered physical therapist" would be altered to allow a limited scope of independent practice to persons who choose to be registered under the act. Under the definitions in the Kansas Act on Credentialing, registration may not be an appropriate level of credentialing for persons who claim to be the only individuals who can provide a service, even if for a limited time. From testimony, it appears the physical therapists would prefer to be licensed. The Committee has posed the question of whether the physical therapists can submit an application under the Kansas Act on Credentialing for a study of whether licensure is the appropriate level of credentialing rather than registration, regardless of the subject matter of the proposed legislation.

The physical therapist proposal and a proposal by the chiropractors to limit certain procedures to licensed chiropractors or other practitioners of the healing arts (MDs and DOs) also raise a question as to whether a technical committee could be convened under the Kansas Act on Credentialing to review the appropriate scope of practice of such persons to determine whether there are procedures that should be limited to chiropractors and other persons licensed to practice the healing arts under the scope of practice set out in the Kansas Healing Arts Act.

Would you please reply to the two questions raised herein, i.e., whether you would accept a duly signed application for (1) a credentialing review of a change from registration to licensure as the appropriate level of credentialing for physical therapists and (2) whether the Kansas Act on Credentialing covers a review of a change in the scope of practice of a provider group currently licensed under Kansas laws.

DAW
2-23-93
AHM#1

Dr. Harder

- 2 -

Thank you for your prompt attention to this matter.

Sincerely,

Joann Flower

Representative Joann Flower, Chair
House Committee on Public Health and Welfare

93-5120

HHW
2-23-93
AHM#1
Pg. 2 of 2

STATE OF KANSAS

DENISE L. EVERHART

REPRESENTATIVE, FIFTY-THIRD DISTRICT

3741 S.E. 61ST

BERRYTON, KS 66409-9764

(913) 862-4808

LEGISLATIVE ADDRESS

ROOM 281-W

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STATE CAPITOL

TOPEKA, KS 66612-1504



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS

VICE-CHAIR: RULES

MEMBER: APPROPRIATIONS

JUDICIARY

SENTENCING COMMISSION

TESTIMONY

HOUSE PUBLIC PUBLIC HEALTH AND WELFARE COMMITTEE

HB 2203

Chairperson Flower and members of the committee:

Thank you for allowing me to appear before you today in support of HB 2203. HB 2203 is a bill I introduced in order to respond to a situation presented to me by the Robinson's, who are here with me today.

Mr. and Mrs. Robinson adopted two children from Romania. The adoption itself took place in that country. Therefore, they have a birth certificate that was issued in Romania and is erroneous. The Robinson's, as citizens of Kansas, simply would like the opportunity to be issued a Kansas birth certificate for their children as we do for any child adopted in Kansas.

The Robinson's have expended a lot of time, energy, and money in pursuit of a correct- Kansas birth certificate. The court turned them away. I hope that you will not.

This may not be the only way to help the Robinson's or the best way, I simply implore the committee to take their concerns seriously and find a solution that will allow the Robinson's and others like them to obtain a Kansas birth certificate.

PHed
2-23-93
Attn #2

IN THE DISTRICT COURT OF SHAWNEE COUNTY, KANSAS
DIVISION EIGHT

In the Matter of the Adoptions of
CRISTIAN ROBINSON and
DORINA-RAMONA ROBINSON

Case No. 91 A 97
Case No. 91 A 98

MEMORANDUM DECISION

The matters before the Court are petitions to adopt two children. The facts, in summary, are that the children were born in Romania to Romanian parents. The petitioners are United States citizens and residents of Kansas. They went to Romania, which was in political turmoil at the time, and adopted these children. They then returned to the United States and Kansas and filed the adoption petitions that are now pending.

Following the prescribed preliminary procedure an attorney (Mr. McEntire) was appointed to represent the absent fathers. At hearing question was raised regarding what sort of notice was required or possible. That led to questioning the necessity of these proceedings at all.

Although presented in different terms these cases really present the fundamental question whether parents may adopt their own children.

Petitioners cite a series of reasons why this Court should recognize the Romanian adoptions as valid. The argument is well made and documented and I agree. There was an adoption in Romania, it is recognized by our national government as valid, these are the legally recognized parents of the children in

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2-23-93
AHM#24

question. Rather than proving petitioners case, however, it does just the contrary. Since these petitioners are already the parents of the children in question, they cannot adopt them anew here.

At the time of the hearing, as initially set, I questioned whether an adoption might be necessitated by an uncertain political situation in Romania. Since the government of Romania was in flux, it had occurred to me that perhaps the adoptions had occurred under a government that would not be recognized by our government and thus a valid reason would be presented for the adoptions to proceed here. That concern is not borne out by the facts as they are argued by Mr. Bobo. Our government has recognized the validity of the adoptions and the reason for the concern is past.

While it is the Court's doing that has put Mr. McEntire into this affair, it still must be said that he has no one to represent. The rights of the natural fathers were terminated in Romania. The father of each child here, as we appear in this court proceeding today is the petitioner. In our proceedings we have no absent parents. We have only parents who are present with their children.

I am quite sure that the legislature, in approving K.S.A. 59-2113 "Who may adopt", never contemplated that anyone would try to adopt his or her own child.

The purpose of adoption -- to establish the parent/child relationship has been established in Romania. It cannot be reaccomplished here.

The only practical justification offered for having the

adoption re-done in Kansas is that the parents would then be able to get Kansas birth certificates. I cannot find there to be legal justification in that reasoning which would permit me to "grant an adoption" where there already is one just for the sake of having more convenient records.

In summary then, this Court must conclude that the two children who are the subject of these petitions are already the adopted children of the petitioners as a result of valid adoption proceedings in the foreign state of Romania and being the parents, by law they may not adopt their own children.

The petitions for adoption are dismissed.

Date

8/12/92


Frank J. Yeoman, Jr.
JUDGE OF THE DISTRICT COURT

PHW
2-23-93
AHM#2A
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REPUBLICA SOCIALISTĂ ROMÂNIA
SERVICIUL CENTRAL DE STARE CIVILĂ

CERTIFICAT DE NAȘTERE

Numele de familie ROBINSON prenumele DORINA-RAMONA
de sex FEMEIEȘC născut(ă) în localitatea BERRYTON
județul TARA S.U.A în anul 1991 UNA MIE NOUA SUTE NOUA ZECI SI UNU
luna MAI ziua 22 DOUA ZECI SI DOI
fiul lui ROBINSON ROBIN-LEE și ROBINSON ALICE-LORRAINE
fiica
Nașterea s-a înregistrat în localitatea AFAD
județul AFAD în registrul de stare civilă la nr. 2625
din anul 1991 luna IULIE ziua 22
Data eliberării certificatului 1991 IULIE 24

ȘEFUL SERVICIULUI

crule

SERIA E. N. Nr. 127469

PHW
2-23-93
Attm#2B

REPUBLICA SOCIALISTĂ ROMÂNIA
SERVICIUL CENTRAL DE STARE CIVILĂ
CERTIFICAT DE NAȘTERE

Numele de familie ROBINSON prenumele CRISTIAN
de sex BARBATESC născut(ă) în localitatea BERRYTON
județul TARA S.U.A. în anul 1990 UNA MIE NOUA SUTE NOUA ZECI
luna MARTIE ziua 2 DOI
fiul ROBINSON ROBIN-LEE și ROBINSON ALICE-LORRAINE
fiica
Nașterea s-a înregistrat în localitatea AFAD
județul AFAD în registrul de stare civilă la nr. 2624
din anul 1991 luna IULIE ziua 22
Data eliberării certificatului 1991 IULIE 24

ȘEFUL SERVICIULUI,

Crushe

SERIA E. N. Nr. 127490

PH+W
2-23-93
Attn # 2-C



Department of Health and Environment

[REDACTED], Secretary

Robert C. Harder

Reply to:

Testimony presented to

House Public Health and Welfare Committee

by

The Kansas Department of Health and Environment

House Bill 2203

H.B. 2203 would require the Office of Vital Statistics to file a birth certificate on a foreign born, foreign adopted child with no restrictions nor requirements with regard to such filings. The provisions outlined in H.B. 2203 are contradictory to the very premise of the vital statistics system; that premise being that an event will be filed only once and only in the place of occurrence.

The only exception to filing the event in the place of occurrence is found in K.S.A. 65-2423(b) which allows a certificate to be prepared if the child was born in a foreign country but adopted in Kansas. This law became effective in 1978 and was largely in response to the influx of adoptions of Vietnamese children to U.S. citizens. Even that certificate is marked "not evidence of U.S. citizenship" and is of limited value. But, even in this instance, the adoption occurred in Kansas.

There are several concerns with regard to H.B. 2203:

- To allow the filing of a record of an event that did not occur in Kansas or even in the United States would jeopardize the integrity of the vital statistics system.
- No other state allows a certificate to be filed for a person born and adopted in a foreign country. The Uniform Vital Statistics Act adopted by the various states currently assures that there is uniformity across the United States to prevent such duplicative filing. H.B. 2203 is contrary to those provisions.
- The proposed record will be rejected by many agencies and organizations to whom they are submitted including such agencies as Passport Offices. Many other organizations will require additional documentation before they will accept the record.
- It should be pointed out that there is another major problem with the proposed legislation--the potential for fraud and kidnapping. Without constraints, there is nothing to prevent it. For example, an individual could file a birth certificate as proposed in several states and in turn set up a system of identification for kidnap victim, collect public assistance, secure a driver's license.
- The inability to prove or disprove events that supposedly occurred in another country would be very difficult if not impossible.

PHW
2-23-93
Attn #3

- Residents of other states, not having a similar law, would file such records in Kansas.

In summary, KDHE does not support this bill. Currently, the vital records system in Kansas is looked upon as a model within the United States not only for its efficiency but for the integrity of our system. The vital records system in Kansas and the United States is built upon the premise that you register the event once and only in the place of occurrence. As proposed in H.B. 2203, none of the events to be recorded took place in Kansas; therefore there is no basis for filing the event in Kansas or in any other state in the U.S.

If the parents feel they must have a U.S. birth certificate, it would be far better for the parents to readopt the child in the U.S. and then file a "child born in foreign country but adopted in Kansas" certificate as already provided. Even though the "child born in foreign country but adopted in Kansas" certificate is not always accepted, it would be a better document than what is proposed. Not only would the document be a better document, but to readopt the child in the U.S. would be a safer, better way because the actual records and documentation would then be filed with a court in this country.

Testimony presented by:

Dr. Lorne A. Phillips

Title: State Registrar

Division/Bureau: Division of Information Systems

Date the testimony is presented: February 23, 1993

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2-23-93
Attn # 3
Pg 272*



Department of Health and Environment

[REDACTED], Secretary

Robert C. Harder

Reply to:

Testimony presented to

House Public Health and Welfare Committee

by

The Kansas Department of Health and Environment

House Bill 2407

H. B. 2407 would allow the hospital administrator, or their designee, to sign the birth certificate when the physician is unavailable or cannot sign within the required five days.

Currently the law states that only the physician in attendance at birth shall certify to the facts of birth, provide the medical information required and sign the certificate. Frequently the physician is not available to sign the certificate within five days. Since the medical information is available in hospital records, the necessary information could be entered onto the certificate form by the medical records staff and then the hospital administrator or their designee could sign the certificate.

{ Currently there is no statutory authority for anyone other than the physician to sign the birth certificate if the birth occurs in an institution. If the event occurs outside an institution, there is a line of authority as to who can sign including the person in charge of the premises where the birth occurred.

This revision would allow the hospital to meet the five day statutory deadline and would allow the Office of Vital Statistics (OVS) to receive and process the birth records in a more timely manner which in turn means that the family could have access to certified copies more quickly. Frequently families need certified copies to carry on personal business.

The revision being proposed has been enacted in other states where they experience the same problems in obtaining the signatures of the physicians.

Testimony presented by: Dr. Lorne A. Phillips
Title: State Registrar
Division/Bureau: Division of Information Systems
Date the testimony is presented: February 23, 1993

PH:W
2-23-93
Attn #4



Memorandum

Donald A. Wilson
President

February 23, 1993

TO: House Public Health and Welfare Committee
FROM: Kansas Hospital Association
REFERENCE: HB 2407

The Kansas Hospital Association appreciates the opportunity to present comments in support of House Bill 2407. This bill would authorize the hospital chief executive officer or his or her designated representative to certify the facts of birth to the Department of Health and Environment.

In many ways this bill can be seen as a technical change. Current law already requires the hospital CEO or his or her designated representative to gather the necessary information and file the birth certificate with the state. The language of HB 2407 is therefore consistent with current statutes.

HB 2407 also promotes efficiency in the system. Current statutes contain an absolute requirement without regard for the practicalities that may accompany a given situation. HB 2407 simply provides that when the attending physician's signature cannot be easily obtained, a responsible official of the medical care facility may attest to certain facts.

Thank you for your consideration of our comments.

PH&U
2-23-93
Attn #5

Testimony by Secretary Stotts
Kansas Department of Corrections

House Public Health and Welfare Committee
February 23, 1993

I am here this afternoon to testify on HB 2223, which prohibits smoking in all state buildings on and after July 1, 1995. The Department of Corrections views this bill as being consistent with the direction in which the department is currently headed.

At the present time, smoking is restricted to varying degrees within correctional facility offices, living units and other buildings. The department's Senior Management Staff--which includes wardens, parole directors, and executive staff in the Central Office--has begun discussions about developing a uniform policy on smoking to be implemented throughout the corrections system. Especially in light of recent findings about the health hazards of secondhand smoke, we believe it important to take those steps necessary to do what we can to protect both our employees and inmates from avoidable health risks. Accordingly, consensus has been reached among the department's senior managers to set a goal for smoke-free buildings, including living units within correctional facilities, within a reasonable timeframe.

Implementation of a smoking prohibition in buildings which applies to both inmates and employees is a policy change that cannot be made abruptly within the correctional setting. However, we believe that such a policy can be implemented effectively if adequate lead time exists to communicate with staff and inmates about the health benefits of smoke-free work and living environments, and to assist them in making this adjustment. At this time, we think that the July 1995 deadline set in HB 2223 provides an adequate and reasonable period for transition to smoke-free buildings in the correctional system.

P.H.W.
2-23-93
Attn #6