

Approved: 3-10-93
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 24, 1993 in Room 423-S of the Capitol.

All members were present except:

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:

Others attending: See attached list

Chairperson Flower called the meeting to order, and called attention to February 18, 1993 minutes. If there are no corrections drawn to the attention of Committee secretary by 5:00 p.m. tomorrow (February 25), these minutes will be recorded as approved.

Chair welcomed all the Licensed Practical Nurses visiting the Committee today.

Chair drew attention to Committee bills that have been previously considered.

CHAIR DREW ATTENTION TO HB2141.

Rep. Rutledge moved to report HB 2141 adversely, seconded by Rep. Bishop. No discussion. Vote taken. (unanimous) Motion carried.

CHAIR DREW ATTENTION TO HB2110.

Rep. Wells indicated a balloon amendment (see Attachment No. 1), had been provided for members on HB2110. She detailed the changes proposed. She noted the conferees that spoke at the hearing have agreed to the amendment. She detailed the change, noting the fee of \$200 appears on page two, line 23 of HB2110.

Rep. Wells moved to adopt the balloon on HB2110, seconded by Rep. Bishop. No discussion. Vote taken. (unanimous). Motion carried.

Rep. Samuelson moved to report HB 2110 favorable for passage as amended, seconded by Rep. Bishop. No discussion. Vote taken. Motion carried.

CHAIR DREW ATTENTION TO HB 2159.

Rep. Neufeld drew attention to a balloon on HB 2159, (a balloon offered by Rep. Shallenburger on February 18th during hearings). Rep. Neufeld detailed the balloon, see (Attachment No.2).

Rep. Neufeld then moved to amend HB2159 per suggested balloon, seconded by Rep. Wagle. Discussion began, i.e., it was noted the Board wished to deal with the specific issue by rules and regulations, and there was concern by some members, the concerns of the Board had not been addressed. It noted the Board had been instructed years ago by the Legislature to write rules and regulations and have not done so. This proposed legislation states the Board must develop rules and regulations. It was indicated, the Board does agree in principle with the language provided in HB2159. Discussion continued regarding methods of sterilization of specific instruments.

Vote taken. Motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE, Room 423-S
Statehouse, at 1:30 p.m. on February 24, 1993.

Rep. Rutledge moved to amend HB2159 by inserting on line 20, the word "sterilization" before the word "process", in the balloon provided in (Attachment No 3). He detailed rationale. Motion seconded by Rep. Wells.

A brief discussion was held in regard to heat sterilization, sterilization, disinfection.

Vote taken. Motion carried.

Rep. Bishop moved to amend HB2159, by amending HB2225 into HB2159. He offered a detailed explanation. Motion seconded by Rep. Swall

Discussion began, i.e., some were of the opinion those interested parties who requested HB2225, have now decided they have taken this matter to rules and regulations and do not wish to have the bill worked this year. Some were of the opinion that the issue now in the Senate will be passed out of Senate Committee. It was noted the language in HB2225 is compatible with HB2159. It was noted there are components in HB2225 that cannot be dealt with, in rules and regulations, therefore it is the request of some members, the amendment to merge HB2225 into HB2159 be accepted favorably. Background information was given to the freshmen Committee members on the issue heard in 1992. It was noted some dentists favor HB2225, some dentists do not.

Noted: (Attachment No.4) a letter from Carol Macdonald, Administrative Secretary of Kansas Dental Board to clarify the position of the Board, i.e., that the issue dealing with infection control standards be placed in rules and regulations due to rapidly changing technologies.

Rep. Neufeld made a substitute motion to pass HB2159 out of committee favorably as amended, seconded by Rep. Wagle.

Discussion began. There was some confusion at this point and Mr. Furse was requested to explain procedures regarding what motions were on the table. He did so.

It was requested, as a matter of procedure, to separate the motions to amend a bill, and the motions to pass legislation out of the Committee. It was suggested this would create less confusion to some.

The substitute motion was again explained, i.e., to pass out as previously amended by balloon indicated in Attachment No. 2 and Attachment No.3. Discussion continued.

By a call of the Chair, the substitute motions made by Rep. Neufeld and Rep. Wagle are in order.

Discussion continued, i.e., it was pointed out there was strong testimony from the Dental schools that serve Kansas, from dentists in the state, and still it is the view of some, the Board does strongly support and endorse the issues in HB2225. In the view of some, it seems unnecessary to go through the entire hearing process again after all the extensive testimony that had been presented in 1992. It was the view of some, the issue in HB2159 should proceed now, in order that the dentists in the state get the message the consumer is serious about wanting the dental equipment sterilized between patients.

Question called for Rep. Samuelson.

Vote taken. Motion carried.

Recorded as NO votes were Rep. Bishop, and Rep. Swall.

Rep. Bishop asked if he could request a question on the vote to ask for a show of hands.

By a call of the Chair, Representative Bishop's request came too late.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE, Room 423-S
Statehouse, at 1:30 p.m. on February 24, 1993.

Discussion began again on the parties who had contacted some of the Representatives with the wish to not take action on HB2225. Lengthy discussion continued on defining "who" and "they", having being contacted on the issue at hand. It was determined a Ms. Connie McClain from Wichita had contacted both Rep. Neufeld and Rep. Wagle to express a wish HB2225 not be run this Session. It was noted Ms. McClain can be contacted tonight at a social function being hosted by the Kansas Dental Association.

General discussion was held on motions and votes taken earlier this date.

Some members asked questions regarding procedure. Some members were confused by the parliamentary procedure.

Chair adjourned the meeting at 2:09 p.m.
The next meeting is scheduled for February 25, 1993.

Note: (Attachment No. 5), was provided to members per Chair Flower regarding Post Audit to study licensing procedures and standards of Behavioral Sciences Board relating to psychologists and social workers.

HOUSE PUBLIC HEALTH AND WELFARE COMMITTEE

[illegible]

HOUSE BILL No. 2110

By Committee on Public Health and Welfare

1-22

8 AN ACT relating to fee structure for licensing adult care home
9 administrators; amending K.S.A. 65-3502, 65-3503, 65-3504 and
10 65-3505 and repealing the existing sections.
11

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

13 Section 1. K.S.A. 65-3502 is hereby amended to read as follows:
14 65-3502. From and after the effective date of this act, no adult care
15 home in the state shall be operated unless it is under the supervision
16 of an administrator who holds a currently valid adult care home
17 administrator's license issued pursuant to this act. No person shall
18 practice or offer to practice adult care home administration in this
19 state or use any title, sign, card or device to indicate that ~~he or~~
20 ~~she the person~~ is an adult care home administrator, unless such
21 person shall have been duly licensed as an adult care home admin-
22 istrator as required by this act. The board may authorize, by rules
23 and regulations, the issuance of a temporary license as an adult care
24 home administrator in the event of an emergency to be effective for
25 a period of ~~sixty~~ (60) 60 days. *The temporary license fee shall be*
26 *fixed by rules and regulations.* Such temporary license may be ex-
27 tended for two (2) consecutive sixty-day periods of time, but in no
28 case shall a temporary license be maintained in effect for a period
29 of time greater than ~~one hundred eighty~~ (180) 180 days.

30 Sec. 2. K.S.A. 65-3503 is hereby amended to read as follows:
31 65-3503. (a) It shall be the duty of the board to:

32 (1) Develop, impose and enforce standards which shall be met
33 by individuals in order to receive a license as an adult care home
34 administrator, which standards shall be designed to ~~insure~~ ensure
35 that adult care home administrators will be individuals who are of
36 good character and are otherwise suitable, and who, by training or
37 experience in the field of institutional administration, are qualified
38 to serve as adult care home administrators;

39 (2) develop examinations and investigations for determining
40 whether an individual meets such standards;

41 (3) issue licenses to individuals who meet such standards, and
42 revoke or suspend licenses issued by the board or reprimand, censure
43 or otherwise discipline a person holding any such license as provided

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

Proposed Amendments

February 22, 1993

*Revised
2-24-93
Attm #1*

HOUSE BILL No. 2159

By Representative Shallenburger

1-29

8 AN ACT relating to dentists and dentistry; concerning the sterili-
9 zation of certain instruments; amending K.S.A. 65-1444 and re-
10 pealing the existing section.
11

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

13 Section 1. K.S.A. 65-1444 is hereby amended to read as follows:
14 65-1444. (a) A dentist shall have the right to prescribe drugs or
15 medicine, perform such surgical operations, administer general or
16 local anaesthetics and use such appliances as may be necessary to
17 the proper practice of dentistry.

18 (b) *All instruments used by a dentist in the practice of dentistry*
19 *which come in physical contact with a patient shall be subjected to*
20 *a process of heat sterilization sufficient to prevent the transmission*
21 *of infectious and contagious diseases. The board may revoke, suspend*
22 *or refuse to renew the license of any dentist failing to comply with*
23 *the provisions of this subsection.*

24 Sec. 2. K.S.A. 65-1444 is hereby repealed.

25 Sec. 3. This act shall take effect and be in force from and after
26 its publication in the statute book.

the oral cavity of

prior to reuse

, or other process not less effective than
heat sterilization,

The board shall adopt rules and regulations
to define and carry out this requirement.

or the rules and regulations adopted pursuant
thereto

PH&W
2-24-93
attn #2

PH&W
2-24-93
attn #2

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PHW
2-24-93
#3
Attn

PHW
2-24-93
Attn #3

JOAN FINNEY
GOVERNOR



BOARD OF DENTAL EXAMINERS

KANSAS DENTAL BOARD
BUSINESS OFFICE
3601 SW 29TH STREET, S-134
TOPEKA, KANSAS 66614-2062
TELEPHONE NO. (913) 273-0780

February 24, 1993

The Honorable Joann Flower
Chairperson, House Committee
on Public Health and Welfare
Statehouse

Dear Chairperson Flower:

I am writing on behalf of the Kansas Dental Board to clarify the board's position on HB2218. 2159
The board prefers that issues dealing with infection control standards be placed in rules and regulations, due to rapidly changing technologies. It is their intent to begin work on these at the board's next meeting on April 17.

Please do not hesitate to contact me if you need further information at 273-0780; or at home 271-9066.

Sincerely,

Carol L. Macdonald

Carol L. Macdonald
Administrative Secretary

CLM/ms

PH/RLD
2-24-93
Attn # 4

Legislative post audit to study licensing procedures and standards of the Behavioral Sciences Regulatory Board relating to psychologists and social workers, especially regarding recognition of licensees from other states. Determine whether the Board has been unduly technical in recognizing equivalents of programs from other states. Recommend what changes should be made to procedures, rules and regulations, and statutes to preserve appropriate standards while efficiently issuing credentials to persons from other states.

FROM THE OFFICE OF
LEGISLATIVE
JOANN FLOWER

FROM THE OFFICE OF
REPRESENTATIVE
JOANN FLOWER

OF
JOHN R

PHW
2-24-93
Attn # 5