

Approved: 3-4-93  
Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by Chair Sandy Praeger at 10:00 a.m. on February 26, 1993 in Room 526-S of the Capitol.

All members were present except:

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Committee staff present: Norman Furse, Revisor of Statutes  
Emalene Correll, Legislative Research Department  
Jo Ann Buntten, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list.

Final Action on Substitute for SB 118 - Collection of health care data by the department of health services administration at KU.

The Chair briefed the Committee on Sub for SB 118 and asked for a motion to adopt and clarify language in the bill that would add commercial payers be appointed to the board. Senator Salisbury made a motion to adopt the language regarding commercial payers, seconded by Senator Hardenburger. The motion carried. Staff clarified language regarding "secretary" when referring to the secretary of health and environment in the bill. A conceptual motion was made by the Committee to add language in the bill to clarify "secretary" as the secretary of the department of health and environment. Senator Walker made a motion to clarify language and include insertion of "psychiatric hospitals" in Section 5, seconded by Senator Hardenburger. The motion carried. After discussion regarding the makeup of the board, Senator Walker made a motion to adopt Substitute for SB 118, seconded by Senator Ramirez. The motion carried. Senator Walker made a motion Substitute for SB 118 as amended be recommended favorably for passage, seconded by Senator Salisbury. The motion carried.

Final Action on SB 119 - Pilot project for providing medicaid services in certain areas of the state through a system of managed care.

Committee discussion related to a task force reporting back in 1994 and whether legislation would be implemented at that time, whether the pilot project be conducted in Sedgwick county and in a county having a population of less than 100,000 people, Senator Walker made a motion to modify language on page 1, line 18 of the bill that would read "entering into contracts for two pilot projects", and specifics about the contracts would appear in subsection (d) -- one in Sedgwick County and the other as specified by the secretary of social and rehabilitation services and the task force, and change "1994" on line 19 to "1995", seconded by Senator Lee. The motion carried. A motion was made by Senator Ramirez to add subsection (e) which would direct the secretary of SRS to establish a task force to review the legislation and make recommendations back to the joint committee and the legislature, seconded by Senator Hardenburger. The motion carried. Senator Walker made a motion to change the date on page 2, line 11 from "1994" to "1995", seconded by Senator Lee. The motion carried. Senator Walker made a motion SB 119 as amended be recommended favorably for passage, seconded by Senator Papay. Further discussion by the Committee related to the need for improving the medicaid program, and the bill as being a step in confronting changes that may be mandated at the national level. The motion carried.

Final Action on Substitute for SB 120 - Social workers definition.

After briefing on Sub for SB 120, (Attachment 1) and Committee discussion, Senator Walker made a motion to strike language in New Section 1, page 1, line 15 "for the purpose of providing psychotherapy" and in Section 2, line 14 (5) to read: "has been found to have engaged in diagnosis as authorized under section 1, even though not authorized to engage in such diagnosis under section 1 and amendments thereto;" seconded by Senator Papay. The motion carried. Senator Salisbury made a motion Sub for SB 120 as amended be recommended favorably for passage, seconded by Senator Walker. The motion carried.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE, Room 526-S  
Statehouse, at 10:00 a.m. on February 26, 1993.

After Committee discussion regarding CNA training in SB 249 - Unlicensed employees of adult care homes providing services to mentally retarded exempted from certain requirements, the Chair announced that SB 249, SB 310, SB 311 and SB 313 would be requested for re-referral to the Committee for further action.

The Chair stated an amendment was needed in SB 312 - Uniform controlled substances act schedule I changes - to change the effective date to "Kansas Register" in order to bring the drug listing into compliance with the DEA which was passed out of Committee on February 24, 1993. Senator Lee made a motion the date be changed to "Kansas Register", seconded by Senator Walker. The motion carried.

The meeting was adjourned at 11:00 A.M.

The next meeting is scheduled for March 4, 1993.

GUEST LIST

COMMITTEE: SENATE PUBLIC HEALTH AND WELFARE      DATE: 2-26-93

NAME	ADDRESS	COMPANY/ORGANIZATION
Camille Noha	Ind. Center	Attorney General
Cheryl H. Kinderknecht	BSRB ← → Landon 651-South	
Martha Hegesmill	KARF	Topeka
Yo Bestgen	KARF	Topeka
Chris Fabian	<sup>Topeka, 66684</sup> 2520 Washburn	Student Washburn
Camille Ste	Topeka	W. Kan. Hosp.
Chip Wheelen	Topeka	KS Medical Soc.
KETH R LANDIS	TOPEKA	CHRISTIAN SCIENCE COMM. ON PUBLICATION FOR KS
Steu Albright	LAW	RMD Inc.
BRUCE SNEAD	MANHATTAN	KSU
Ron Fraass	Topeka	KDHE / ISAR
K. Kglout	Topeka	KDHE
Harold Spiker	Topeka	KDHE
Tom Bell	TOPEKA	KHA
Paul M. Klotz	Topeka	ASSN. OF MAHKS, Inc.
Randy Proctor	Topeka	MHRS/SRS
Sally Finney	"	KDHE
ALAN COBB	Wichita	Wichita Hospitals

## Substitute for SENATE BILL NO. 120

By Committee on Public Health and Welfare

1 AN ACT concerning social work; authorizing certain licensed  
2 social workers to evaluate mental disorders for diagnosis  
3 for the purpose of providing psychotherapy; amending K.S.A.  
4 65-6311 and repealing the existing section.

5 Be it enacted by the Legislature of the State of Kansas:

6 New Section 1. (a) A licensed specialist clinical social  
7 worker, a licensed master social worker under the supervision of  
8 (1) a licensed specialist clinical social worker, (2) a licensed  
9 psychologist or (3) a person licensed to practice medicine and  
10 surgery or a licensed master social worker within the course of  
11 employment by a licensed community mental health center or a  
12 state facility authorized to provide psychotherapeutic services  
13 may diagnose mental disorders classified in the diagnostic  
14 manuals commonly used as a part of accepted social work practice

→15 [for the purpose of providing psychotherapy]. *strike*

16 (b) This section shall be part of and supplemental to the  
17 provisions of article 63 of chapter 65 of the Kansas Statutes  
18 Annotated and acts amendatory of the provisions thereof and  
19 supplemental thereto.

20 Sec. 2. K.S.A. 65-6311 is hereby amended to read as follows:

21 65-6311. (a) The board may suspend, limit, revoke or refuse to

*Senate PH&W  
attachment #1  
2-26-93*

1 issue or renew a license of any social worker upon proof that the  
2 social worker:

3 (1) Has been convicted of a felony and, after investigation,  
4 the board finds that the licensee has not been sufficiently  
5 rehabilitated to merit the public trust;

6 (2) has been found guilty of fraud or deceit in connection  
7 with services rendered as a social worker or in establishing  
8 needed qualifications under this act;

9 (3) has knowingly aided or abetted a person, not a licensed  
10 social worker, in representing such person as a licensed social  
11 worker in this state;

12 (4) has been found guilty of unprofessional conduct as  
13 defined by rules established by the board;

14 (5) has been found to have engaged in ~~the evaluation of~~  
15 ~~mental disorders for~~ diagnosis ~~for the purpose of providing~~  
16 ~~psychotherapy,~~ <sup>as authorized under Sec. 1</sup> even though not authorized to engage in such  
17 ~~diagnosis under section 1 and amendments thereto;~~

18 (5) (6) has been found guilty of negligence or wrongful  
19 actions in the performance of duties; or

20 (6) (7) has had a license to practice social work revoked,  
21 suspended or limited, or has had other disciplinary action taken,  
22 or an application for a license denied, by the proper licensing  
23 authority of another state, territory, District of Columbia, or  
24 other country, a certified copy of the record of the action of  
25 the other jurisdiction being conclusive evidence thereof.

26 (b) Proceedings to consider the suspension, revocation or

1 refusal to renew a license shall be conducted in accordance with  
2 the provisions of the Kansas administrative procedure act.

3 Sec. 3. K.S.A. 65-6311 is hereby repealed.

4 Sec. 4. This act shall take effect and be in force from and  
5 after its publication in the statute book.