

SESSION OF 2007

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 104**

As Amended by House Committee of the Whole

**Brief\***

SB 104 would amend a statute in the Nurse Practice Act that delineates the membership of the Board of Nursing. Pursuant to the proposed amendments, the membership of the Board would remain at 11, but the licensed mental health technician (LMHT) position would be deleted and another public member would be added (for a total of three representatives of the general public). At least one of the consumer members would have to be a person who has not been involved in providing health care. The bill also would prohibit Board members from receiving compensation (as provided for in KSA 75-3223), if the member receives similar compensation from another governmental or private entity.

Other amendments that would result from enactment of the bill are technical and arise from removing a mental health technician from the Board.

**Background**

SB 104 was introduced at the request of the Board of Nursing whose representative also testified in support of the bill. A representative of the Kansas Nurses Association testified in support of deleting the mental health technician position from the Board membership but expressed support for replacing the position with another licensed professional nurse rather than a third consumer member. Removal of the mental health technician position is requested because there are fewer and fewer licensed mental health technicians in the state since such

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

persons are no longer employed in state and other mental health institutions. It has been difficult to fill any vacancy, and the Board has had to operate with no mental health technician member for considerable periods of time.

The House Committee on Health and Human Services amendment replaced the previously deleted LMHT position with a registered nurse engaged in nursing service. The original bill would have replaced the LMHT with a public member. Additionally, the House Committee amended the bill to prohibit compensation for certain board members.

The House Committee of the Whole amendment would restore the number of registered nurse and public members recommended in the Senate Committee version of the bill (the Board would consist of six registered nurse members, two licensed professional nurse members, and three public members).

The fiscal note on the original bill indicates there would be no fiscal impact from enactment of SB 104.