

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES.

The meeting was called to order by Chairperson Garry Boston at 1:30 p.m. on February 12, 2002 in Room 210 Memorial Hall

All members were present except: Representative Patricia Lightner, Excused
Representative Gwen Welshimer, Excused

Committee staff present: Dr. Bill Wolff, Kansas Legislative Research Department
Norman Furse, Revisor of Statute's Office
Renea Jefferies, Revisor of Statute's Office
June Evans, Secretary

Conferees appearing before the committee: Representative Rocky Nichols
Sandy Barnett, Kansas Coalition Against Sexual
and Domestic Violence
Diana Schunn, BSN, R.N., Kansas Sexual
Assault Network
Juliene Maska, Statewide Victims' Rights
Coordinator
Doug Smith, Executive Director, Kansas
Academy of Physician Assistants

Others attending: See Attached Sheet

The Chairman opened the hearing on **HB 2744 - Allowing registered professional nurses to conduct sexual assault examinations.**

Representative Rocky Nichols stated this was a crime victims bill and he supported the bill. (No testimony)

Sandy Barnett, Kansas Coalition Against Sexual and Domestic Violence, testified as a proponent to **HB 2744**. Community-based, grass roots programs in Kansas are serving victims of domestic violence and sexual assault. Potentially 453,446 women and 189,725 men in Kansas have been victims of sexual violence. Yet, 70% to 84% of all rapes go unreported. Lack of reporting is attributed to the shame of victimization, fear of retribution, and a belief that nothing can be done: even if the perpetrator is caught, prosecution will fail. These are realistic fears. Perpetrators know their victims in more than 60% of all sexual assaults; the fear of retaliation is real.

KCSDV strongly supports **HB 2744** that amends the current restriction of physicians only collecting forensic evidence to allow trained nurses to perform these examinations, it simply reconciles Kansas law with current best practices (Attachments 1 & 2.)

Diana Schunn, BSN, R.N., Kansas Sexual Assault Network, stated **HB 2744** proposes to recognize R.N.'s as a health profession authorized to examine persons who may be victims of sexual offenses and collect evidence. Specialized training is provided to R.N.'s to further develop the skills needed to provide the most comprehensive and legally sound care to sexual assault patients. The emotional as well as physical and legal needs this patient population presents with, presents the R.N. with the need for advanced information on evidence identification, collection, chain of custody and resource referrals to adequately meet the patients needs. Care of the critically ill or traumatized victim is a responsibility that can not be compromised. Registered Nurses can best serve the needs of society when they can simultaneously recognize and preserve evidence while delivering care to the patient (Attachment 3).

Juliene Maska, Statewide Victims' Rights Coordinator, Office of the Attorney General, stated this bill allows nurses who are specially trained in performing sexual assault evidence collection to be able to perform the examination and collection of sexual assault evidence and to be paid

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by the county to perform such exams.

The crime of sexual assault and rape is devastating for the victim and extremely difficult to the victim to wait several hours for a physician to collect the evidence. If the physician assistants choose to be trained in the examination and collection of the sexual assault evidence we are in agreement to their being included (Attachment 4).

Douglas E. Smith, Executive Director, Kansas Academy of Physician Assistants, asked for an amendment to **HB 2744** to include physician assistants. Physician assistants provide emergency medical care services and are qualified to perform urgent lifesaving procedures in addition to physical examination, diagnose and treat illnesses, order and interpret laboratory tests and offer patient education and counseling. It is believed that if specific knowledge is required for the collection of evidence the Physician Assistants Association can facilitate education methods to see that members receive the most current training (Attachment 5).

The Chairman closed the hearing on **HB 2744**.

The Chairman stated the Sub-Committee on Credentialing had completed their report on **HB 2315 - Licensure of Occupational Therapists** and asked what the committee's wishes were.

Representative Morrison moved and Representative Long seconded to accept the sub-committee's report and move out **HB 2715** as amended. The motion carried.

The Chairman asked what the committee's wishes were on **HB 2718 - Certified Copies of Abstracts or Vital Records**.

Representative Morrison moved and Representative Patterson seconded to move **HB 2718** out favorably. The motion carried.

The Chairman asked what the committee's wishes were on **HB 2733 - Presumptive death law - catastrophic events or disasters**.

Representative Storm moved and Representative Palmer seconded to amend on page 3, lines 29 and 31 changing "wife" to "spouse". The motion carried.

Representative Showalter moved and Representative Long seconded to amend on page 2, line 17 and change "catastrophe" to "catastrophic event". The motion carried.

Representative Long moved and Representative Storm seconded to move **HB 2733** out as amended. The motion carried.

The meeting adjourned at 2:10 p.m. The next meeting will be February 14.