

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman James Barnett at 1:30 P.M. on February 8, 2007 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Emalene Correll, Kansas Legislative Research Department  
Terri Weber, Kansas Legislative Research Department  
Jim Wilson, Office of Revisor of Statutes  
Nobuko Folmsbee, Office of Revisor of Statutes  
Morgan Dreyer, Committee Secretary

Conferees appearing before the committee:

Diane Glynn, JD, RN Practice Specialist for the Kansas State Board of Nursing  
Deborah Stern, RN, JD, Vice President Clinical Services/ Legal Counsel for Kansas Hospital Association  
Joan Felts, Kansas Committee for Nursing Education and Practice, a Committee of the Kansas Organization of Nurse leaders  
Martha Butler, PhD, RN, Kansas Association of Colleges of Nursing  
Geraldine Tyrell, President of the Bethel College Chapter of Kansas Association of Nursing Students  
Bernadette Kahler PhD, RN, CNS  
Amanda Wilson, President of the Newman-Kansas Association of Nursing Students Organization at Emporia State University  
Howard Rodenberg, MD, MPH, Kansas Department of Health and Environment  
James Hamilton, Jr., MD, FACS, Kansas Cancer Partnership

Others attending:

See attached list.

Upon calling the meeting to order, Chairman Barnett asked Emalene Correll to read and explain **SB 106**, **SB 178**, and **SB 179**. Then the Chair announced that the next order of business would be to open hearing on **SB 106**.

**Hearing on SB 106 – An act concerning the practice of nursing**

Fiscal Note or **SB 106** was available for the Committee to view. A copy of the fiscal note is (Attachment 1) attached hereto and incorporated into the Minutes as referenced.

Chairman Barnett then called upon his first proponent conferee, Diane Glynn, JD, RN Practice Specialist for the Kansas State Board of Nursing who stated that the bill would eliminate the practice of nursing by graduates pending the results fo the first licensure examination and the mission of the Board of Nursing is to assure the citizens of Kansas safe and competent practice by nurses. A copy of her testimony is (Attachment 2) attached hereto and incorporated into the Minutes as referenced.

The Chair then call upon the second proponent conferee, Deborah Stern, RN, JD, Vice President Clinical Services/ Legal Counsel for Kansas Hospital Association who stated that the bill requires nursing students to take a computerized national nursing licensing exam, known as the NCLEX graduated from nursing school has up to 120 days to take the NCLEX and in the interim can be hired as a Graduated Nurse (GN). A copy of her testimony is (Attachment 3) attached hereto and incorporated into the Minutes as referenced.

Chairman Barnett then called upon proponent conferee, Joan Felts, Kansas Committee for Nursing Education and Practice, a Committee of the Kansas Organization of Nurse leaders who asked for the Committee's support for the bill because technology has significantly reduced the period of time that it takes for receiving the results of NCLEX and the license to practice, because graduates will have minimal competency as established by the nation licensure examination before they begin their practice, and because healthcare cost savings can be realized by hospitals by hiring licensed staff nurses. A copy of her testimony is (Attachment 4) attached hereto and incorporated into the Minutes as referenced.

## CONTINUATION SHEET

MINUTES OF THE Senate Public Health and Welfare Committee at 1:30 P.M. on February 8, 2007 in Room 231-N of the Capitol.

Chairman Barnett then called upon proponent conferee, Martha Butler, PhD, RN, Kansas Association of Colleges of Nursing who stated her belief in requiring graduates of professional nursing programs to obtain licensure prior to beginning professional practice is in the best interests of the citizens of Kansas. A copy of her testimony is ([Attachment 5](#)) attached hereto and incorporated into the Minutes as referenced.

The Chair called upon proponent conferee, Geraldine Tyrell, President of the Bethel College Chapter of Kansas Association of Nursing Students who stated that the elimination of the exception will place a demand on students to take the NCLEX in a timely manner, thus resulting in an improvement in testing scores and efficient placement of licensed nurses in the work force. A copy of her testimony is ([Attachment 6](#)) attached hereto and incorporated into the Minutes as referenced.

Chairman Barnett called upon proponent conferee, Bernadette Kahler PhD, RN, CNS who stated that the bill first and foremost as a protection of public safety, and secondly to facilitate a more effective use of personnel and fiscal resources for health care agencies. A copy of her testimony is ([Attachment 7](#)) attached hereto and incorporated into the Minutes as referenced.

The Chair then called upon the last proponent conferee, Amanda Wilson, President of the Newman-Kansas Association of Nursing Students Organization at Emporia State University who stated that N-KANS respectfully request the Committee amend the effective date of **SB 106** to October 1, 2007. A copy of her testimony is ([Attachment 8](#)) attached hereto and incorporated into the Minutes as referenced.

Written testimony was submitted by Janice Jones, nurse educator with Butler Community College in opposition to **SB 106**. A copy of her testimony is ([Attachment 9](#)) attached hereto and incorporated into the Minutes as referenced.

Questions came from Senators Schmidt, Haley, and Wagle regarding failure of the NCLEX, student vs. graduate status, October 1, 2007 request, practicum of 120 days, January 1, 2008 notice, loss of health insurance after graduation.

With no more conferee and no more questions from the Committee, Chairman Barnett closed the hearing on **SB 106**.

The motion was made by Senator Schmidt that would amend the effective date to October 1, 2007 and move the bill out favorably. It was seconded by Senator Haley and the motion carried.

Chairman Barnett then opened the hearing on **SB 178**.

### **Hearing on SB 178 – An act concerning the cancer registry**

Fiscal Note or **SB 178** was available for the Committee to view. A copy of the fiscal note is ([Attachment 10](#)) attached hereto and incorporated into the Minutes as referenced.

The Chair then called upon the first proponent conferee Dr. Howard Rodenberg, Kansas Department of Health and Environment who stated that the bill proposes to allow the Secretary of the Department of Health and Environment to authorize use of Cancer Registry data under carefully controlled circumstances to expand the use of this confidential data. A copy of his testimony is ([Attachment 11](#)) attached hereto and incorporated into the Minutes as referenced.

Chairman Barnett called upon his final proponent conferee Dr. James Hamilton, Kansas Cancer Partnership who stated that as a physician, he does not believe this bill would result in an undue burden on myself or my practice. However, I believe it will enhance public health efforts and result in enhanced data for the Kansas Cancer Registry. A copy of his testimony is ([Attachment 12](#)) attached hereto and incorporated into the Minutes as referenced.

Written testimony was submitted by Patti Moser, RN, MPH, BSN, OCN, Chair, Research and Data Workgroup, Kansas Cancer Control Partnership. A copy of her testimony is ([Attachment 13](#)) attached hereto and incorporated into the Minutes as referenced.

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Questions came from Senators Haley and Wagle regarding consent form requirements, death certificates, other states registries.

The Chair announced to the Committee that they were out of time and that they would close the hearing on **SB 178**, work **SB 178** and push the hearing for **SB 179** to next week.

### **Adjournment**

As there was no more time, the meeting was adjourned at 2:30 p.m.

The next meeting is scheduled for Tuesday, February 13, 2007.