

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairman Brenda Landwehr at 1:30 p.m. on January 20, 2009, in Room 784 of the Docking State Office Building.

Committee Members: All members were present except: Reps. Ward, Shultz, Finney, and Siegfried, all of whom were excused.

Committee staff present:

Norm Furse, Office of the Revisor of Statutes
Melissa Calderwood, Kansas Legislative Research Department
Reed Holwegner, Kansas Legislative Research Department
Janet Grace, Committee Assistant

Conferees appearing before the committee:

Jack Confer, Executive Director, Kansas Board of Healing Arts
Scott Hess, General Council, Kansas Board of Healing Arts

Others attending:

See attached list.

Chairman Landwehr called the meeting to order and requested the committee members submit to Janet Grace the email address they want the committee testimony to be sent.

Jack Confer, Executive Director, Kansas board of Healing Arts, KBHA, briefed the Committee on the which oversees the licensing and regulation of 14 health professions, which includes about 20,500 licensees and 1,050 registrants. The list of professions licensed and regulated is provided (Attachments 1, 3). The Regulating Statutes include: **K.S.A. 65-2839a** - Investigations and Procedures **K.S.A. 65-2836**-revocation, suspension, limitation or denial of licenses; and **K.S.A. 65-2837** - unprofessional conduct definitions.

Mr. Confer said that the Board of Healing Arts has implemented several changes since July 2008. They include staffing changes, complaint investigations, creation of a quarterly agency newsletter, providing press releases when necessary, and greater transparency of information posted on the agency web site (Attachment 2).

Mr. Confer reported the immediate goals for the agency (Attachments 1, 2):

- Change timeframes for investigations of complaints to 180 days by December 2009.
- Complete filing of petition for disciplinary action within 180 days of Board decision to hold an administrative hearing by December 2009.
- Have dynamic/interactive web site with complete physician profiles implemented by July 2009.
- Have legislative and executive approval of legislative issues by July 2009.

2009 Legislative Session Highlights (Attachment 3):

- License Fee Regulations
 - KSBHA will strive to be an agency that exemplifies public service. Funding is essential for KSBHA to continue on this path of transformation. License fee increases will assist us in getting that much-needed funding.
- Medical Records Custodian
 - KSBHA is seeking to introduce legislation that will give the agency authority to appoint a medical records custodian to store patients' medical records after a professional's license has been revoked or the professional becomes incapacitated.
- Allied Professions
 - KSBHA believes the specifications set forth for the healing arts professions in **HB 2620** should be applied to all the professions they regulate.

Information with the history and organizational chart as provided (Attachments 4, 5).

CONTINUATION SHEET

Minutes of the House Health And Human Services Committee at 1:30 p.m. on January 20, 2009, in Room 784 of the Docking State Office Building.

Mr. Confer responded to a member's question, saying the Legislature gives a mandate and defines written regulations. There will still be gray areas that can not be define but the specialty area determines scope of practice, specialty specifications evolve over time.

To another question Mr. Confer replied that the staff, for example, which dealt with 7995 cases in working to reduce the backlog and presently has about 2,600 open cases, with 110 cases awaiting investigation. The Board has established priority/disciplinary guidelines 1-4, with 1 being low and 4 indicating potential harm to the public.

Representative Morrison commended Mr. Confer for the changes implemented. Chairman Landwehr concurred, stating that the committee is there to help, and all that is asked is that the representatives from KSBHA provide accurate information. She commended the agency for working toward a good, accurate data base to provide better information in the future.

The next meeting is scheduled for January 21, 2009.

The meeting was adjourned at 1:50 p.m.