

MINUTES OF THE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman Vicki Schmidt at 1:30 p.m. on February 9, 2011, in Room 546-S of the Capitol.

All members were present.

Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes  
Katherine McBride, Office of the Revisor of Statutes  
Melissa Calderwood, Kansas Legislative Research Department  
Iraida Orr, Kansas Legislative Research Department  
Carolyn Long, Committee Assistant

Conferees appearing before the Committee:

Mary Lou Davis, Executive Director, Board of Cosmetology  
Bill Hancock, The Superior Company  
Sarah M. Hansen, Executive Director, Kansas Association of Addiction Professionals  
Les Sperling, CEO, Central Kansas Foundation  
Sky Westerlund, Kansas Chapter, National Association of Social Workers

Others attending:

See attached list.

The hearing on **SB 92—State Board of Cosmetology Licensing Requirements** was opened by the Chair. This proposed legislation would require a person applying for an apprentice license prior to commencement of instruction to pay the apprentice fee of \$15. A school would be prohibited from providing instruction unless the person is licensed as an apprentice or could prove the person has applied for a license. The Board would not issue an apprentice license to a person convicted of a felony, unless the applicant is able to demonstrate to the Board's satisfaction that they have been sufficiently rehabilitated.

Mary Lou Davis, Executive Director, Kansas Board of Cosmetology, reminded the committee that the Board has regulatory responsibility for cosmetology schools and the apprentices/students attending these schools. The proposed legislation is a revision to current law specific to apprentice/student licensing. She said the board requests the inclusion of language regarding apprentice definition to include “any person engaged in a course of instruction and practice.” They also request that a license must be obtained prior to the commencement of instruction and practice. If an applicant has been convicted of a felony the Board must approve that the applicant has demonstrated to the Board's satisfaction sufficient rehabilitation (Attachment #1).

Senator Kelsey requested a definition for the term “felony” as it applies in this legislation and how it was handled. Ms. Davis replied that a non-person felony received a panel review and a person felony would go to the whole Board.

Bill Hancock, representing The Superior Company, spoke in opposition to the legislation. He stated that additional provisions are unnecessary given the extensive history of success under the present statutory scheme but supports the insertion of the phrase “course of instruction and practice” (Attachment #2).

There being no further discussion, the hearing on **SB 92** was closed.

The Chair called for final action on **SB 90—Behavioral sciences board**. After reviewing the definitions requested by the committee, staff introduced a balloon amendment to clear up issues presented during the hearing. Senator Brungardt moved to accept the proposed amendments, seconded by Senator Huntington. Motion carried. Senator Brungardt moved, Senator Kelly seconded, to recommend SB 90 as amended, favorably for passage. Motion carried.

## CONTINUATION SHEET

MINUTES OF THE Senate Public Health and Welfare Committee at 1:30 p.m. On February 9, 2011, in Room 546-S of the Capitol.

The Chair opened the hearing on **SB 100—Addictions Counselor Licensure Act**. Bill explanation by staff noted the proposed legislation would amend the current licensure act to clarify that addiction counseling includes independent practice and diagnosis and treatment of substance use disorders only at the clinical level of licensure. The bill would allow any person to be licensed as a clinical addiction counselor if the person has been credentialed by SRS as an alcohol and drug counselor, been actively engaged in the practice, supervision or administration of addiction counseling in Kansas for not less than ten years, and credentialed by the Kansas Association of Addiction Professionals as an Alcohol and Other Drug Abuse Counselor Level II or III in Kansas prior to the effective date of this legislation or holds a master's degree in a related field and whose last registration had not been suspended or revoked.

Sarah M. Hansen, Executive Director, Kansas Association of Addiction Professionals, testified in support of this legislation (Attachment #3). The bill proposes some technical revisions and a few critical issues they believe address workforce issues and assure those who are qualified through education, experience, and previous credentialing to be swept in and licensed via grandfathering.

Representing the Central Kansas Foundation, Les Sperling supported the bill. He said there are approximately 200 clinicians who would be eligible for a clinical license in this bill who have met the most rigorous national standards of testing, education, and experience and are imminently qualified to diagnose and treat persons with substance use disorders. Adding these individuals would greatly increase their ability to meet the ever increasing federal mandates and ensure that Kansans seeking help with problems receive the treatment and supervision they deserve (Attachment #4).

Written testimony in support of this legislation was submitted by Sandra Dixon, Director of Addiction Services with DCCA, Inc. (Attachment #5), and Ray Dalton, Deputy Secretary of Disability and Behavioral Health Services, SRS (Attachment #6).

Sky Westerlund, Kansas Chapter of the National Association of Social Workers, spoke in opposition to this bill because it would grandfather persons without a bachelor degree and would permit them to diagnose and treat people with substance use disorders with no supervision required (Attachment #7).

There being no further testimony the hearing on **SB 100** was closed.

The meeting adjourned at 2:40 p.m. The next meeting is scheduled for February 10, 2011.