

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Melvin Neufeld at 9:00 a.m. on March 22, 2004 in Room 514-S of the Capitol.

All members were present.

Committee staff present:

Alan Conroy, Legislative Research
Amy VanHouse, Legislative Research
Michele Alishahi, Legislative Research
Susan Kannarr, Legislative Research
Jim Wilson, Revisor of Statutes
Mike Corrigan, Revisor of Statutes
Nikki Feuerborn, Administrative Analyst
Shirley Jepson, Committee Secretary

Conferees appearing before the committee:

Others attending:

See Attached List.

- Attachment 1 Budget Committee Report on **HB 2890**
- Attachment 2 Budget Committee Report on **SB 336**
- Attachment 3 Proposed House Substitute for **SB 336**
- Attachment 4 Written testimony on **SB 336** from Debra Zehr, Kansas Association of Homes & Services for the Aging
- Attachment 5 Written testimony on **SB 336** from Linda Berndt, Kansas Health Care Association (KHCA)
- Attachment 6 Written testimony on **SB 336** from Janice Jones, Kansas State Nurses Association (KSNA)
- Attachment 7 Written testimony on **SB 336** from Phyllis Kelly, Kansas Adult Care Executives Association (KACE)
- Attachment 8 Written testimony on **SB 336** from Deanne Bacco, Kansas Advocated for Better Care

Discussion and Action on HB 2890 - Prescribing procedures for certain persons with infectious and contagious diseases.

Representative Landwehr, Chair of the Social Services Budget Committee, presented the Budget Committee report on **HB 2890** and moved to recommend **HB 2890** favorable for passage (Attachment 1). The motion was seconded by Representative Bethell. Motion carried.

Representative Bethell moved to add an amendment to **HB 2890** inserting language to Page 1, Line 29, after the word “disease”, to add “which is potentially life-threatening”. The motion was seconded by Representative Landwehr. Motion failed.

The Committee voiced concern about:

- The meaning of “potentially life-threatening”;
- Who would be responsible for the cost of the group quarantine;
- Who would have the authority to declare a disease “life-threatening”.

Chairman Neufeld recognized Richard Morrissey, Kansas Department of Health and Environment (KDHE), who answered questions from the Committee. Mr. Morrissey noted that the agency looked at other states with similar legislation before the language in **HB 2890** was proposed. Mr. Morrissey stated this legislation would give the State authority to quarantine a specific group of people and allow for due process. Mr. Morrissey noted that the State has not had a contagious disease outbreak for the past ten years; however, the legislation is proposed in case of a potential outbreak.

CONTINUATION SHEET

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE at 9:00 a.m. on March 22, 2004 in Room 514-S of the Capitol.

Discussion and Action on SB 336 - Establishment of a tobacco use prevention and control program.

Representative Bethell, member of the Social Services Budget Committee, presented the Budget Committee report on **SB 336** (Attachment 2). Representative Bethell stated that the Social Services Budget Committee deleted all language in the original **SB 336** and inserted language relating to adult care home licensure and paid nutrition assistants (Attachment 3). The Budget Committee also changed certain references to the Department on Aging to the Department of Health and Environment to reflect change in administration of adult care homes.

Chairman Neufeld allowed written testimony on **SB 336** to be distributed to the Committee from Debra Zehr, Kansas Association of Homes & Services for the Aging (Attachment 4); Linda Berndt, Kansas Health Care Association (KHCA) (Attachment 5); Janice Jones, Kansas State Nurses Association (KSNA) (Attachment 6); Phyllis Kelly, Kansas Adult Care Executives Association (KACE) (Attachment 7) and Deanne Bacco, Kansas Advocates for Better Care (Attachment 8).

Jim Wilson, Revisor of Statutes, stated that a technical correction is needed in the definition section of the substitute bill regarding the reference to 42 C.F.R. 483-160 that should be expanded to include additional language concerning training qualifications and instruction.

Representative Bethell moved to amend the proposed language in Section 2; (c) (1), by striking the words “secretary of health and environment” and inserting “secretary of aging”. The motion was seconded by Representative Henry. Motion carried.

Representative Bethell moved to recommend replacing **SB 336** with the substitute bill, make technical corrections concerning C.F.R. references to the substitute bill and recommend the substitute bill favorable for passage as amended. The motion was seconded by Representative Landwehr. Motion carried.

Discussion and Action on HB 2925 - Medical student loan act, definition of service commitment areas.

Jim Wilson, Revisor of Statutes, explained that a proposed amendment to **HB 2925** with regard to the “service commitment area” would add a fifth category under subsection (c) allowing any community in Wyandotte County for purposes of any service obligation under a medical student loan agreement entered into by a person, who is enrolled for the first time at the University of Kansas School of Medicine in the course of study and degree as a doctor of medicine, after July 1, 2004. The amendment would restore Wyandotte County to the bill and limit the effect to those students enrolled after July 1, 2004.

Representative Feuerborn moved to adopt the proposed amendment to **HB 2925**. The motion was seconded by Representative Ballard. Motion carried.

Representative Bethell moved to amend the amendment to **HB 2925** to include doctors of osteopathy and make technical corrections as necessary. The motion was seconded by Representative Feuerborn. Motion carried.

Representative Sharp moved to recommend **HB 2925** favorable for passage as amended. The motion was seconded by Representative Feuerborn. Motion carried.

The meeting was adjourned at 9:50 a.m. The next meeting will be held at 9:00 a.m. on March 23, 2004.

Melvin Neufeld, Chairman