

HOUSE BILL No. 2116

By Committee on Health and Human Services

1-29

AN ACT creating the Kansas commission on health; providing for the powers, duties and functions thereof.

Be it enacted by the Legislature of the State of Kansas:

Section 1. There is hereby created the Kansas commission on health, hereinafter referred to as the "commission," to oversee the necessary changes in state laws and regulations in order for the commission to reach its goal to be able to examine and make recommendation on all aspects of health in Kansas. The commission shall make a determination of what should be the appropriate levels and delivery of services in Kansas, transcending the scope of practice of all providers of health care. A focus on both mental and physical health is to be included. The underserved areas of Kansas and the total aspect of the delivery of health care in Kansas, including telemedicine shall also be reviewed. Finally, the commission shall place an emphasis on prevention, health promotion and the reduction of health disparities in the overall Kansas population.

Sec. 2. (a) The commission shall be composed of 19 members. With an emphasis and consideration of the member's ethnicity, gender and geographic area, the members of the commission shall be as follows: Two members of the house of representatives, one appointed by the speaker of the house of representatives and one member appointed by the minority leader of the house of representatives; two members of the senate, one appointed by the president of the senate and one member of the senate appointed by the minority leader of the senate; the remaining 15 members of the commission shall be appointed by the governor who shall appoint these members from the following categories: One member representing a large self-insured employer, one member representing an employer who is insured with a privately purchased group health insurance policy, one member who is a mental health care provider, one member who is a health care provider who is not licensed to practice medicine and surgery or a licensed dentist, one member who is licensed to practice medicine and surgery, one member who is a licensed dentist, one member who is licensed to practice chiropractic, one member who is licensed to practice nursing as a registered professional nurse, one member who is a registered physical therapist or a licensed occupational therapist, one

1 member representing the health care commission, one member repre-
2 senting small business, one member representing a local health depart-
3 ment, one member representing organized labor, one member who is a
4 consumer of health care, one member representing the American asso-
5 ciation of retired persons—Kansas, one member representing a major
6 insurance company, one member representing public health academia
7 and one member representing kindergarten to 12th grade education. The
8 secretary of health and environment, the secretary of social and rehabil-
9 itation services and the secretary of aging or such secretaries' designees
10 shall be advisors to the commission. Since every state agency of Kansas
11 has a stake in the health of all Kansans, the commission may call upon,
12 request and recover information from any state agency.

13 (b) Any person who is appointed to the commission shall serve until
14 July 1, 2007. After that date, the appointing authority shall appoint mem-
15 bers to the commission to serve until July 1, 2008. Members may be
16 reappointed. In order to be a member of the commission, each member
17 must continue to maintain such member's status from the category from
18 which such person was appointed. If a member of the commission resigns,
19 no longer resides in the state of Kansas, is no longer qualified to represent
20 the category from which such member was appointed, dies, or, as it per-
21 tains to each of the four legislative members of the commission, is no
22 longer an elected or appointed member of the Kansas legislature, then
23 in each situation the appointing authority shall fill the vacancy on the
24 commission, and the person so appointed shall serve the remaining term
25 of that party.

26 (c) A quorum of the commission shall be ten. All action of the com-
27 mission may be taken by a majority of those present when there is a
28 quorum. The chairperson and the vice-chairperson shall be elected from
29 the 19 members of the commission. The vice-chairperson shall exercise
30 all the powers of the chairperson in the absence of the chairperson. The
31 commission may appoint advisory subcommittees as it deems appropriate.
32 All subcommittees shall meet and report at the direction of the commis-
33 sion. All meetings shall be subject to the Kansas open meetings act.

34 (d) Funding of operations of the commission shall be from moneys
35 received from grants and contributions made from foundations, nonprofit
36 organizations and other entities or persons who have common goals of
37 the commission. Officers and employees of the state, and the departments
38 of health and environment, social and rehabilitation services, and aging
39 shall pursue grants and contributions to fund the activities of the
40 commission.

41 (e) The Kansas commission on health shall meet on call of the chair-
42 person. All such meetings shall be held in Topeka unless authorized to
43 be held in a different place by the commission. Interactive electronic

1 meetings may also be used by the commission to expand involvement
2 throughout the state.

3 (f) The commission shall work cooperatively with all relevant state
4 and federal agencies, health care providers, payors and consumer groups
5 in the development of integrated health for all Kansans. The commission
6 shall accomplish this by identifying measurable health goals and treatment
7 based upon evidence the commission gathers. The commission shall have
8 the power to recommend priorities to state agencies with regard to health
9 spending.

10 Sec. 3. (a) From moneys received by the commission, the commis-
11 sion shall employ an executive secretary who shall receive compensation
12 as approved by the commission. The executive secretary shall act as staff
13 to the commission and its subcommittees and shall serve as liaison with
14 state agencies and the office of the governor. The executive secretary and
15 the commission may use office space provided by the state of Kansas or
16 any philanthropic organization. The commission shall make the final de-
17 cision as to where the commission's office will be located.

18 (b) All officers and employees of the state of Kansas shall provide
19 such information and assistance as may be deemed necessary by the com-
20 mission. Administrative support for the commission shall be provided by
21 the division of legislative administrative services. Other staff assistance
22 shall be provided by the office of the revisor of statutes, the legislative
23 research department and such other legislative offices and employees as
24 may be directed by the legislative coordinating council.

25 Sec. 4. The commission on or before the first Tuesday of each year
26 shall prepare and publish an annual report of its activities and recom-
27 mendations for the governor, insurance commissioner, all health related
28 committees of the legislature and any member of the Kansas legislature
29 for their information and review. This report is also available to the public,
30 upon request. The report shall be available at the Kansas commission on
31 health and by publishing such report on the internet and by notifying the
32 legislature that the report is available and providing, as part of such notice,
33 the uniform resource locator (URL) at which such report is available.

34 Sec. 5. The provisions of sections 1 through 5, and amendments
35 thereto, shall expire on June 30, 2008.

36 Sec. 6. This act shall take effect and be in force from and after its
37 publication in the statute book.

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