

SESSION OF 2004

SUPPLEMENTAL NOTE ON SENATE BILL NO. 106

As Amended by House Committee of the Whole

Brief*

Healthy Kansans

SB 106, as amended, creates a new act that directs the Department of Health and Environment, under the direction of the Secretary, to follow through its earlier initiative, Healthy Kansans 2000, by identifying major health issues and formulating health objectives and priorities for the decade. The bill sets out the intent to build on the activities of the many Kansans who were involved in the development of Healthy Kansans 2000 in light of the national initiative known as Healthy People 2010 and to (1) establish a limited number of major health care issues that are most pertinent to Kansans and (2) establish objectives and priorities intended to ameliorate the adverse effects of such conditions along with the development of action plans to accomplish such goals. The planning and implementation of the project is to represent the collective actions of government agencies, professional and nonprofit health organizations, the rendering health care community, and integration with local communities.

The actions directed by SB 106 are to be undertaken subject to available appropriations, but the Secretary of Health and Environment is encouraged to seek alternative funding sources.

Abortion Clinic Standards

As amended by the House Committee of the Whole, SB 106 in Section 2 creates a new act that would establish standards for the operation of abortion clinics and require that such clinics be licensed.

The Department of Health and Environment would be authorized to adopt rules and regulations for abortion facility standards, including:

- ! abortion clinic supplies and equipment standards;
 - ! standards for clinic personnel;
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- ! medical screening and evaluation of clinic patients;
- ! abortion procedures;
- ! recovery room standards;
- ! standards for follow up visits;
- ! minimum abortion clinic incident reporting;
- ! establishing and maintaining an internal risk management program; and
- ! licensing fees for operation of clinics.

The rules and regulations would include, among other things:

- ! patient areas, private areas, surgical areas, and recovery and counseling areas;
- ! cleaning and sterilizing of rooms and equipment;
- ! nurses and physician assistants;
- ! abortion procedures, use of anesthesia, and use of intravenous access;
- ! preparation of written materials for patients regarding possible problems and aftercare;
- ! follow-up visits;
- ! supplies and equipment;
- ! pre- and post-procedure medical counseling;
- ! physicians and medical directors who must be licensed to practice medicine and surgery in Kansas;
- ! medical screening and evaluation of patients;
- ! use of ultrasound equipment;
- ! emergency resuscitative and life support equipment and procedures;
- ! maintenance of clinic records, including those resulting in patient injury or death;
- ! licensed health professionals who are trained in the management of the recovery area;
- ! another individual who is present in the evaluation room or during an abortion (if the physician is male, then the individual would be female); and
- ! a system of investigation and analysis to measure the frequency and causes of reportable incidents.

The Secretary is authorized to conduct inspections and investigations of abortion clinics as necessary to protect the public health. Any information received by the Secretary through inspections or reports

may not be publically disclosed in a manner that would identify individuals.

Abortion clinics would be required to hold a current valid license, and the Department would be required to suspend or revoke a license for noncompliance.

Background

Section 1 of SB 106 as amended by the House Committee of the Whole incorporates the provisions of SB 106 as amended by the House Committee on Health and Human Services.

Section 2 of the bill is identical to HB 2751 as recommended by the House Committee on Federal and State Affairs.