

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairperson Beverly Gossage at 8:30 am on Wednesday, March 15, 2023, in room 142-S of the Capitol.

All members were present

Committee staff present:

Donola Fairbanks, Kansas Legislative Committee Assistant  
Eileen Ma, Office of Revisor of Statutes  
Elizabeth Cohn, Legislative Research Department  
Iraida Orr, Legislative Research Department  
Jenna Moyer, Office of Revisor of Statutes

Conferees appearing before the Committee:

Rebecca Williams, Shareholder at HUB Mid-America  
Kendra Wyatt, New Birth Company  
Clark Schultz, Health Care Stabilization Fund  
Alexandra Blasi, Kansas Board of Pharmacy  
Aaron Dunkel, Kansas Pharmacists Association  
Dr. Dared Price, Graves Drug

Others in attendance:

No list available

**Hearing on: HB2325 — Adding maternity center to the definition of "healthcare provider" for purposes of the healthcare provider insurance availability act.**

Jenna Moyer, Staff Revisor, gave an overview of the bill. She answered questions from committee members.

Rebecca Williams gave proponent testimony by stating that Professional Liability Insurance for Birthing Centers and Nurse Midwives, who are not associated with a physician practice or a hospital is not available. She stated that the situation could be easily rectified if birthing centers were added to the list of facilities recognized by the Kansas Stabilization Fund as "defined Health Care Providers" by passing **HB2325**. It is truly an unfair situation which may put stand-alone birthing centers out of business if not rectified. If no more affordable options are available, the reduction in nurse midwives in Kansas is inevitable. ([Attachment 1](#))

Kendra Wyatt spoke in support of the bill. She is the CEO of "New Birth Company" which is a Kansas Department of Health and Environment licensed and nationally accredited birth center providing natural childbirth services to KanCare mothers from 10 Kansas Counties. **HB2325** is the result of two years of diligent work with the Healthcare Stabilization Fund in response to the closure of the Kansas

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City, Kansas birth center in July 2021, due to lack of malpractice options. Last year they were only able to access facility malpractice through a last-minute budget revision that expires June 30, 2023. ([Attachment 2](#))

They took questions from committee members.

Clark Schultz gave neutral testimony. He stated that current statute allows maternity centers organized as professional corporations to be included in the definition of health care provider. **HB2325** would provide an additional avenue for a maternity center that is not organized as a professional corporation. ([Attachment 3](#))

Chairperson Gossage closed the hearing on **SB2325**.

**Hearing on: HB2263 — Authorizing pharmacy technicians to administer certain vaccines.**

Jenna Moyer, Revisor, gave an overview of the bill. She took questions from committee members.

Alexandra Blasi spoke as a proponent on the bill. She said in the pharmacy setting, licensed pharmacists and pharmacy students are permitted to administer immunizations to Kansas patients pursuant to the protocol established with a physician. **HB2263** expands this authority to include allowing pharmacy technicians to administer immunizations. ([Attachment 4](#))

Aaron Dunkel gave testimony in support stating that **HB2263** updates Kansas statutes to allow pharmacy technicians to work under the supervision of a pharmacist with a valid vaccine protocol to administer vaccinations. This bill would allow pharmacies to continue to utilize pharmacy technicians to provide timely patient care, supporting local community health efforts and maximizing access to care. ([Attachment 5](#))

Dr. Dared Price spoke in support of **HB2263** stating that as a pharmacy owner, his pharmacies have given between 30,000-50,000 vaccinations in the past two years. He said there is no way they would have been able to administer those vaccinations without the help of their pharmacy technicians. They have had over 30 pharmacy technicians become trained and certified to administer Covid, Flu and other vaccines to their patients. ([Attachment 6](#))

Proponent, written only testimony as submitted by:

Cali Rains, Certified Pharmacy Technician ([Attachment 7](#))

Mitch DePriest, on behalf of Kansas Association of Chain Drug Stores ([Attachment 8](#))

Rob Tinsley, CEO, Currus Independent Pharmacies ([Attachment 9](#))

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Ryan Irsik, Walmart ([Attachment 10](#))

Opponent, written only testimony was submitted by:

Melissa Campbell, Private Citizen ([Attachment 11](#))

Neutral, written only testimony was submitted by:

Rachelle Colombo, Kansas Medical Society ([Attachment 12](#))

Chairperson Gossage closed the hearing on **HB2263**.

**Final action on bills previously heard**

Final Action on **SB2034**

Jenna Moyer, Staff Revisor gave a brief overview of the bill. Senator Erickson offered an amendment. ([Attachment 13](#)) Discussion followed. Senator Baumgardner offered a substitute motion on an amendment, with a second from Senator O'Shea. Discussion followed. On a voice vote of aye, the amendment was adopted. Senator Baumgardner moved to pass **SB2034**, as amended favorably with a second from Senator O'Shea. On a voice vote of aye, **SB2034**, as amended passed favorably.

Chairperson Gossage adjourned the meeting at 9:30 a.m. The next scheduled meeting is March 16, 2023.