

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:30 a.m. on February 26, 2009, in Room 136-N of the Capitol.

All members were present except:  
Senator Tim Owens- excused

Committee staff present:  
Jason Long, Office of the Revisor of Statutes  
Julian Efird, Kansas Legislative Research Department  
Dennis Hodgins, Kansas Legislative Research Department  
Connie Burns, Committee Assistant

Conferees appearing before the committee:  
Robert Waller, Executive Director , Kansas Board of Emergency Medical Services  
Jon Friesen , Kansas EMS Association  
Mark Willis, Kansas Professional Fire Chiefs Association  
Gary Winter, Region 1 EMS Coordinator

Others attending:  
See attached list.

Chairman Brungardt called for approval of minutes for January 27, 29, February 4, 5, 10, 11, 12, 17, and 18 distributed on February 19, 2009.

Senator Ostmeyer made a motion to approve the minutes as written. Senator Francisco seconded the motion. The motion carried.

**SB 223 - Emergency medical services board, authority to issue subpoenas.**

Chairman Brungardt opened the hearing on **SB 223**.

Robert Waller, Executive Director , Kansas Board of Emergency Medical Services, spoke in favor of the bill. (Attachment 1) The bill would allow the Investigation Committee of the Kansas Board of Emergency Medical service to issue subpoenas in acquiring information. Under current law; the Board has no subpoena power regarding education, training, hospital records, QA/QI records, personnel records, operational records (DEA drug repository) or criminal history records when conducting an investigation. The language in part is from the Board of Nursing and Board of Healing Arts statutes.

Jon Friesen , Kansas EMS Association, appeared neutral on the bill. (Attachment 2) The Association understands the need for the Board of EMS to be able to investigate issues relating to emergency medical care, and the proposed legislative package relating to EMS issues, a move to bolster the enforcement component of the Board's responsibilities. But it is the Association's firm belief that the quality of pre-hospital care cannot be improved through disciplinary action.

Chairman Brungardt closed the hearing on **SB 223**.

**SB 224 - Emergency medical services board authorized to assess civil fines.**

Chairman Brungardt opened the hearing on **SB 224**.

Robert Waller, Executive Director , Kansas Board of Emergency Medical Services, appeared in favor of the bill. (Attachment 3) The bill would grant the Kansas Board of Emergency Medical services the ability to assess a civil fine against any person granted a license or certificate to practice emergency medical services by the Board for a violation of a law. The civil fine would not exceed \$1,000.

Jon Friesen , Kansas EMS Association, spoke in opposition to the bill. (Attachment 4) EMS in the state of Kansas has been and remains dependent upon the dedication of volunteer EMS providers; the volunteer

## CONTINUATION SHEET

Minutes of the Senate Federal And State Affairs Committee at 10:30 a.m. on February 26, 2009, in Room 136-N of the Capitol.

ambulance service remains the sole provider of emergency medical services in many areas of our state; the declining numbers of volunteers is an increasing concern for ambulance services. The threat of the Board of EMS being able to fine an attendant up to \$1,000 will add one more reason for people to reject an invitation to serve their community and add to the demise of volunteer services.

Mark Willis, Kansas Professional Fire Chiefs Association, appeared in opposition to the bill. (Attachment 5) The Board of EMS already possesses statutory authority to suspend, modify, or revoke certification and licensure. The impact of having a State agency having the ability to level fines to emergency responders, many who provide their time and talents as volunteers, could further inhibit future recruitment and retention of firefighters and emergency medical providers.

Terry David, Rice County EMS, provided written testimony in opposition to the bill. (Attachment 6)

Chairman Brungardt closed the hearing on **SB 224**.

### **SB 262 - Emergency medical services attendants scope of practice and titles.**

Chairman Brungardt opened the hearing on **SB 262**.

Robert Waller, Executive Director, Kansas Board of Emergency Medical Services, spoke in favor of the bill. (Attachment 7) The bill revised the Scope of Practice for the four levels of attendants regulated by the Board. The changes are:

1. Changes the names of the three attendant levels
2. Mandates that attendants must practice under medical protocols
3. Sets a Scope of Practice "ceiling" for the levels of EMR, EMT, and AEMT
4. Sets the actual Scope of Practice in Rules and Regulations

Also provided a copy of the EMS Attendant Skills Sets Recommendations. (Attachment 8)

Jon Friesen, Kansas EMS Association, appeared in favor of the bill. (Attachment 9) The bill will revamp the title of EMS attendants in Kansas from current to be in line with the National EMS Scope of Practice. This move is congruent with the National EMS Scope of Practice Document that was released by the National Highways Safety and Traffic Administration. (NHTSA)

Gary Winter, Region 1 EMS Coordinator, spoke in favor of the bill. (Attachment 10) Region I supports passage of this bill in its current form, with emphasis on maintaining Emergency Medical Responders as part of the patient care team.

Chairman Brungardt closed the hearing on **SB 262**.

The next meeting is scheduled for March 3, 2009. The meeting was adjourned at 11:39 am