

Approved: March 26, 2012

(Date)

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairperson Marc Rhoades at 9:00 AM on Wednesday, March 21, 2012 in Room 346-S of the Capitol.

All members were present except:

Anthony Brown – excused
Ward Cassidy – excused
Lana Gordon – excused
Virgil Peck – excused
Clark Shultz – excused
Gene Suellentrop - excused

Committee staff present:

J.G. Scott, Chief Fiscal Analyst, Legislative Research Department
Dylan Dear, Senior Fiscal Analyst, Legislative Research Department
Michael Wales, Fiscal Analyst, Legislative Research Department
Jill Wolters, First Assistant Revisor, Office of Revisor of Statutes
Nobuko Folmsbee, Senior Assistant Revisor, Office of Revisor of Statutes
Cindy O'Neal, Administrative Assistant
Kathy Holscher, Committee Assistant

Conferees appearing before the Committee:

Secretary Moser, Department of Health & Environment
Representative Landwehr
Anna Lambertson, Kansas Health Consumer Coalition
Nick Wood, Disability Rights Center of Kansas
Dr. Ira Stamm, Psychologist

Others in attendance:

See attached list.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

Minutes of the HOUSE APPROPRIATIONS Committee at 8:41 AM on Wednesday, March 21, in Room 346-S of the Capitol.

Chairman Rhoades called the meeting to order and reviewed the agenda. He stated that a subcommittee has been formed to review e-filing for the court system. Those members are: Representative McLeland, Chair; Representative Denning, Representative Suellentrop and Representative Lane.

Chairman Rhoades opened the hearing on **SB 436 – Creating the Kansas newborn screening fund**

Bobbi Mariani, Legislative Research Department, provided an overview of the bill (Attachment 1), and responded to questions from committee members. She stated that the certificate of authority refers to insurers in the state and has a filing fee for application of \$150, and an annual report filing fee cost of \$50. Regarding the Health Maintenance Organization Act, the Insurance commissioner collects fees for services provided in the state, she noted. The bill would establish a fund for the screening program, which would be administered by the Secretary of Health and Environment. The authorized amount for reimbursement for actual expenses is paid on a monthly basis from the State General Funds (SGF). Receipts for FY 2011 were \$8.4 million, which reflects the 1% surcharge. Currently the budget for the program is approximately \$2.2 million.

Jill Wolters, Office of the Revisor of Statutes, responded to questions from committee members. She stated that the bill contains a specific funding stream. It was noted that this language was not included in the Adjutant General's Budget Report and may need to be reviewed during conference committee.

Robert Moser, Secretary, Department of Health and Environment, presented testimony as a proponent of the bill (Attachment 2), and responded to questions from committee members. He stated that funding for Autism would be subject to legislative appropriation, unless the individual is eligible for the Medicaid Autism waiver.

Chairman Rhoades stated that written testimony as proponents of the bill were distributed to committee members and are listed as follows: Kansas Action for Children (Attachment 3); March of Dimes (Attachment 4); Kansas Chapter of American Academy of Pediatrics (Attachment 5); and the Kansas Hospital Association (Attachment 6).

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Representative Ballard made a motion for favorable passage of the bill. The motion was seconded by Representative Mast.

The concern was expressed for utilizing SGF for specific funding and the impact going forward this could present.

Representative Ballard renewed the motion. The motion carried.

Chairman Rhoades opened the hearing on **HB 2789 – Creating a joint committee on KanCare oversight.**

Nobuko Folmsbee, Office of Revisor of Statutes, provided an overview of the bill (Attachment 7), and responded to questions from committee members. She stated that the bill abolishes the two current committees and establishes one committee consisting of 11 members. Committee members receive \$35 per day and are comprised of legislators. An overview of the Senate bill as compared to the House bill followed.

Representative Landwehr presented testimony as a proponent of the bill. No written testimony was provided. She responded to questions from committee members. She noted that the bill was to include language that states leadership appointments the respective members.

Discussion followed by committee members regarding the responsibilities of the oversight committee.

Anna Lambertson, Kansas Health Consumer Coalition, presented testimony as a proponent of the bill (Attachment 8).

Nick Wood, Disability Rights Center of Kansas, presented testimony as a proponent of the bill (Attachment 9).

Dr. Ira Stamm presented testimony as a proponent of the bill. No written testimony was provided.

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Vice-Chair Kelley stated that written testimony as proponents of the bill have been distributed to committee members, and are listed as follows: Association of Community Mental Health Centers of Kansas, Inc. (Attachment 10); and Kansas Hospital Association (Attachment 11).

Representative Henry made a motion for favorable passage of the bill. The motion was seconded by Representative McLeland.

Discussion followed by committee members regarding oversight committee voting issues as related to having a quorum, composition of the committee and financial perspective.

Nobuko Folmsbee, Office of the Revisor of Statutes, noted that the joint committee of the Health Policy Authority's language refers to a majority vote. However, as a practice a majority vote of all members was not required but action would be taken by voting members if there were more members than a quorum.

Representative Peck made a substitute motion that the Office of the Revisor of Statutes amend the language allowing the majority of the six members present to take action for voting purposes. The motion was seconded by Representative DeGraaf. The motion failed.

Representative DeGraaf discussed the make-up of the oversight committee.

Representative DeGraaf made a motion to change the composition of the oversight committee to 7 House and 3 Senate members. The motion was seconded by Representative Peck.

Discussion followed by committee members regarding the impact of the motion in regards to the legislative process.

Representative DeGraaf renewed the motion. The motion failed.

Representative Henry renewed the motion for favorable passage of the bill. The motion carried.

Chairman Rhoades stated that next week's committee meetings are on call of the chair.

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The meeting adjourned at: 9:46 a.m.

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