

SESSION OF 2011

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2029**

As Amended by House Committee on  
Judiciary

**Brief\***

HB 2029 would add ultrasound technologists working under the supervision of a person licensed to practice medicine and surgery to the list of persons included in the definition of "charitable health care providers" for the purposes of the Kansas Tort Claims Act. The bill would require ultrasound technologists to be registered in any area of sonography credentialed through the American Registry of Radiology Technologists, the American Registry for Diagnostic Medical Sonography, or Cardiovascular Credentialing International.

**Background**

Under the Kansas Tort Claims Act, the state is liable for negligent or wrongful acts or omissions committed by employees, including "charitable health care providers," while acting within the scope of their employment. A "charitable health care provider" is covered by the Act when it enters into an agreement with the Secretary of Health and Environment or an indigent care clinic and gratuitously provides professional services to a medically indigent person pursuant to that agreement. When covered by the Act, the state will provide a defense and indemnification for any claims arising out of such professional services. HB 2029 would include ultrasound technologists to the definition of "charitable health care provider."

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

In the House Committee on Judiciary, Representative Pat Colloton, a local radiologist, and a third year medical student presented testimony in support of the bill. The Committee also received written testimony from Barbara F. Atkinson, MD, Executive Vice Chancellor, University of Kansas Medical Center and Executive Dean, University of Kansas School of Medicine, in support of the bill, and from a representative of the Kansas Association for Justice in opposition to the bill. The Committee amended the bill by adding the requirement that the ultrasound technologists be registered in any area of sonography credentialed through the American Registry of Radiology Technologists, the American Registry for Diagnostic Medical Sonography, or Cardiovascular Credentialing International.

The Board of Healing Arts indicated passage of HB 2029 would have no fiscal effect.