

**Written and Oral Neutral Testimony in the House Federal and State Affairs Committee re:
HB2184**

February 25, 2020

Chair and Honorable Committee Members,

The Board is composed of 15 members, 12 of whom are licensed Kansas healthcare providers. The Board licenses and regulates more than 32,000 Kansas healthcare providers in 15 different healthcare professions. I am Tucker Poling, Executive Director of the Board.

The Kansas State Board of Healing Arts (“Board”) submits this neutral testimony to assist legislators in evaluating HB2184, the Kansas medical regulation act. If this committee moves forward with this bill, **we urge you to amend the bill to eliminate unfunded mandates on the Board.** This could be accomplished by simply adding a provision to allow the Board to charge a fee for the certificate described in New Section 17 (pages 11-13) of the bill.

It appears this may have been an unintentional oversight because the bill contains fee provisions for all other agencies who are required to implement significant portions of the act.

The unfunded mandates on the Board currently contained in the bill include, but are not limited to:

- Developing and implementing procedures, monitoring, and/or enforcement for:
 - procedures and processes for applying for a certificate to recommend treatment with medical marijuana;
 - the conditions for eligibility for a certificate to recommend treatment with medical marijuana;
 - procedures for renewing such a certificate;
 - the reasons for which a certificate may be suspended or revoked;
 - the standards under which a certificate suspension may be lifted; the minimum standards of care when recommending treatment;
 - continuing education for certificate holders

This bill will require significant, challenging, and important new work for the Board. This will require new resources. This bill can be easily amended to fix this problem by treating the board the same way other involved agencies are treated under the bill in regard to charging fees for the newly required certificates/licenses involved.

Thank you for considering this testimony. Please also see attached annotated copy of bill. I welcome any comments, questions, or further dialogue with members of the committee. Please feel free to contact me on my cell (785-760-0686) at any time or via email at tucker.poling@ks.gov .

Sincerely,



Tucker L. Poling
Executive Director

BOARD MEMBERS: JOHN F. SETTICH, PH.D., PUBLIC MEMBER, PRESIDENT, ATCHISON • TOM ESTEP, MD, VICE PRESIDENT, WICHITA • MARK BALDERSTON, DC, SHAWNEE
MOLLY BLACK, MD, SHAWNEE • RICHARD BRADBURY, DPM, SALINA • R. JERRY DEGRADO, DC, WICHITA • ROBIN D. DURRETT, DO, GREAT BEND
STEVEN J. GOULD, DC, CHENEY • CAMILLE HEEB, MD, TOPEKA • STEVE KELLY, PH.D., PUBLIC MEMBER, NEWTON • JENNIFER KOONTZ, MD, NEWTON
STEPHANIE SUBER, DO, LAWRENCE • KIMBERLY J. TEMPLETON, MD, LEAWOOD • RONALD M. VARNER, DO, EL DORADO • SHERRI WATTENBARGER, PUBLIC MEMBER, LENEXA