

Approved: 4/1/09
Date

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman Jim Barnett at 1:30 p.m. on February 25, 2009, in Room 136-N of the Capitol.

All members were present except Senator Wysong who was excused, and Senator Haley who was absent.

Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes
Doug Taylor, Office of the Revisor of Statutes
Kelly Navinsky-Wenzl, Kansas Legislative Research Department
Terri Weber, Kansas Legislative Research Department
Jan Lunn, Committee Assistant

Conferees appearing before the committee:

Don Brada, MD, Wichita Graduate Medical Education Program
Susan Kang, Kansas Department of Health and Environment
Larrie Ann Lower, Medco
Doug Mays, MethShield
Ron Hein, Kansas Pharmacy Coalition and Kansas Pharmacists Association
Sandy Horton, Crawford County Sheriff

Others attending:

See attached list:

Susan Kang distributed a response to questions raised at the hearing on February 17, 2009, for **SB 147 - Department of health and environment; HIV screening for pregnant women and newborn children; rules and regulations**. Ms. Kang indicated the HIV-AIDS Prevention grant will fund HIV testing for approximately 4,400 uninsured women and newborn testing kits (Attachment 1). Estimated costs total \$17,200 annually. Test kits have a shelf life of approximately two years.

Ms. Folmsbee presented an additional balloon which would amend **SB 147** by removing the reference to an "obstetric panel" and "all pregnant women in Kansas" and by adding language to clarify that a pregnant woman has the right to refuse the HIV screening at any time. Additionally, it was requested that a date certain for the adoption of rules and regulations be inserted by requiring that the rules and regulations be adopted within one year of the effective date of the act.

Senator Brungardt offered a substitute motion to amend SB 147 as discussed and to report the bill favorably for passage; Senator Kelsey seconded the motion. The motion carried.

Senator Barnett introduced Dr. Brada, chief medical officer for the Wichita Center for Graduate Medical Education Program (WCGME). Dr. Brada provided a description of the WCGME program consisting of 272 residents in 14 physician residency programs (Attachment 2). WCGME has existed for 20 years and provides the necessary graduate medical education programs for physicians. Dr. Brada discussed the accreditation status and cycle length of various programs. He indicated of the 353 graduates between 2004 and 2008, 174 are practicing in Kansas. Dr. Brada reviewed resident practice locations and provided a map showing the location of graduates in underserved areas. Additionally, funding components and rationale for the program was discussed. Dr. Brada concluded that \$6.5 million dollars is the total amount necessary for the current physician residency programs to remain strong and intact in the three-member WCGMC consortia (University of Kansas Medical Center - Wichita, Via Christi, and Wesley - Wichita hospitals)

Senator Schmidt inquired about the possibility of residents and staff physicians becoming state employees and the impact of such a plan. Dr. Brada indicated that although such a plan assumes savings, there could be unrecognized financial consequences of shifting employees to the state payroll. The plan is being considered.

Senator Barnett thanked Dr. Brada for his presentation, and the work continuing with physicians in Wichita.

CONTINUATION SHEET

Minutes of the Senate Public Health And Welfare Committee at 1:30 p.m. on February 25, 2009, in Room 136-N of the Capitol.

Chairman Barnett re-opened the hearing and discussion on **SB 248 - Electronic logging system for sale of methamphetamine precursor** by recognizing Doug Mays. Mr. Mays supported this legislation citing two pilot programs had been conducted successfully. In addition, he reported all stakeholders had been meeting to compromise on amendment language (Attachment 3).

Senator Pilcher-Cook inquired what potential costs of hardware and software for an electronic system might be. Mr. Mays reported approximately \$300,000 in start-up costs would be expended for the hardware component. Software, internet connections, etc., would account for additional expenses.

Ms. Larrie Ann Lower, representing Medco Health Solutions, indicated any concerns previously submitted have been resolved. However, her testimony (Attachment 4) is attached for inclusion in the permanent record.

Mr. Ron Hein, Kansas Pharmacy Coalition and Kansas Pharmacists Association, indicated committee members could disregard his submitted testimony (Attachment 5). Mr. Hein reported that previous concerns have been abated, and a final resolution to any concern could be crafted with an additional meeting among interested parties.

Chairman Barnett called attention to written testimony submitted by Ron Gaches, representing the Kansas Independent Pharmacy Service Corporation (Attachment 6), encouraging the same standard relative to "real time" submission of records into an electronic system be applied uniformly to all retail pharmacies.

Sheriff Sandy Horton encourage committee members to favorably move the bill forward.

Chairman Barnett asked Kelly Navinsky-Wenzel, legislative research department, to provide information on electronic log books in other states. Ms. Navinsky-Wenzel provided testimony (Attachment 7) regarding start-up and on-going funding for electronic systems in Kentucky, Oklahoma, and Arkansas. In addition, funding sources and other pertinent information was provided.

Discussion ensued relative to the submitted fiscal note, clean-up costs, and law enforcement costs. Senators attending the meeting requested a revised fiscal note. Senator Barnett indicated final action on **SB 248 - Electronic logging system for sale of methamphetamine precursor** would be noticed in the Senate Calendar.

The meeting was adjourned at 2:26pm

The next meeting is scheduled for February 26, 2009.