

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman James Barnett at 1:30 P.M. on March 14, 2005 in Room 231-N of the Capitol.

All members were present.

Committee staff present:

Emalene Correll, Kansas Legislative Research Department
Terri Weber, Kansas Legislative Research Department
Norm Furse, Office of Revisor of Statutes
Whitney Nordstrom, Committee Secretary

Conferees appearing before the committee:

Representative Sharp
Dr. Brandon Kennedy, Children's Mercy Hosp.
Brenda Bandy, La Leche League
Julie Quinn
Theresa Wiegel, La Leche League
Kelley Stuppy
Kathy Porter, Kansas Office of Judicial Registration
Allan White, Kansas Speech and Hearing Assoc.
Johnn Ferraro, University of Kansas Medical Center
Elizabeth Karlsen, Kansas Board of Hearing Examiners

Others attending:

See attached list.

Hearing on HB 2284

HB 2284- Right to breastfeed

Upon calling the meeting to order Chairperson Barnett announced that the first order of business was a hearing on **HB 2284**, an act relating to the breastfeeding [mothers; concerning right to breastfeed; jury duty while breastfeeding; amending K.S.A. 43-158 and repealing the existing section]. First the Chair requested that Terri Weber, Kansas Legislative Research Department, give a brief overview of the bill.

Chairperson Barnett asked Ms. Weber what current laws are in place regarding this issue. As there were no further questions and/or comments, the Chair called upon the first proponent conferee to testify. Representative Stephanie Sharp stated her support of this legislation primarily as a preventative care for future generations of Kansans. A copy of her testimony is (Attachment 1) attached hereto and incorporated into the Minutes as referenced.

The Chair then asked Representative Sharp what problems will this legislation prevent. As there were no further questions and/or comments for Representative Sharp, Chairperson Barnett called upon the second proponent conferee to testify. Linda Kenney, Kansas Department of Health and Environment, stated in her testimony that KDHE is pleased to support **HB 2284**. Public policy can be supportive not only of mothers and families but also of physicians, hospitals and local health departments in their efforts to promote breastfeeding. A copy of her testimony is (Attachment 2) attached hereto and incorporated into the Minutes as referenced.

The Chair asked the Committee for any questions and/or comments. Senator Palmer asked Ms. Kenney to explain the word "discreetly". As there were no further questions and/or comments for Ms. Kenney, Chairperson Barnett called upon the third proponent conferee to testify. Dr. Brandan Kennedy, Children's Mercy Hospital, stated in his testimony that it is imperative that we support mothers who have the desire and are dedicated to providing the best nutrition for their children. A copy of his testimony is (Attachment 3) attached hereto and incorporated into the Minutes as referenced.

As there were no questions and/or comments for Dr. Kennedy, Chairperson Barnett called upon the fourth proponent conferee to testify. Brenda Bandy, La Leche League of Kansas, stated that this legislation brings

CONTINUATION SHEET

MINUTES OF THE Senate Public Health and Welfare Committee at 1:30 P.M. on March 14, 2005 in Room 231-N of the Capitol.

the importance of breastfeeding into the sphere of public awareness, and by doing so it legitimizes breastfeeding for the general public and lets women know that their babies have the right to be breastfed wherever they happen to be. A copy of her testimony is (Attachment 4) attached hereto and incorporated into the Minutes as referenced.

Chairperson Barnett asked the Committee for any questions and/or comments for Ms. Bandy. Senator Brungardt asks what Ms. Bandy's past experience has been in regards to jury duty.

As there were no further questions and/or comments for Ms. Bandy, the Chair called upon the fifth proponent conferee to testify. Julie Quinn asked in her testimony that the word "discreetly" be removed and be voted in favor of. A copy of her testimony is (Attachment 5) attached hereto and incorporated into the Minutes as referenced.

As there were no questions and/or comments for Ms. Quinn, the Chair called upon the sixth proponent conferee to testify. Theresa Weigel encouraged the Committee to pass this bill as 30 other states have done. Until the culture can reclaim the understanding of breastfeeding and its importance to the health of our communities, I feel that it is in the best interest of our citizenry to pass **HB 2284**. A copy of her testimony is (Attachment 6) attached hereto and incorporated into the Minutes as referenced.

Chairperson Barnett asked for any questions and/or comments for Ms. Weigel. Senator Palmer asked how this legislation came about.

As there were no further questions and/or comments for Ms. Weigel, the Chair called upon the seventh proponent conferee to testify. Kelley Stuppy requested in her testimony that the word "discreetly" be removed from this important bill. She then thanked the Committee for passing this legislation that will be very helpful to mothers and babies in Kansas. A copy of her testimony is (Attachment 7) attached hereto and incorporated into the Minutes as referenced.

As there were no questions and/or comments for Ms. Stuppy, Vice-Chair Schmidt called upon the first opponent conferee to testify. Kathy Porter, Office of Judicial Administration, stated in her testimony that current law allows for judicial discretion in excusing persons from jury service, and the system appears to work well. While there are undoubtedly many other groups of persons would like to be excused from jury service, or who should be excused from jury service, there simply does not appear to be a need to commit all of these possibilities to statute. A copy of her testimony is (Attachment 8) attached hereto and incorporated into the Minutes as referenced.

Vice-Chair Schmidt asked the Committee for any questions and/or comments for Ms. Porter. Senator Haley, Senator Palmer and Senator Journey asked a range of questions including is there any way the clerks office can verify the individual is breastfeeding, is a mother allowed to bring their baby to jury duty, and why did five Representatives vote in opposition of this bill.

As there were no further questions, comments and/or conferees the Vice-Chair closed the hearing on **HB 2284**.

Hearing on HB 2285

HB 2285– Concerning the board of examiners for hearing instruments; licensure, penalties, discipline, powers and duties

The next order of business was a hearing on **HB 2285**, an act concerning health care; relating to the board of examiners for hearing instruments; membership, powers and duties; relating to licensure, disciplinary actions, fees and penalties; amending K.S.A. 74-5801, 74-5802, 74-5804, 74-5805, 74-5806, 74-5807, 74-5808, 74-5809, 74-5810a, 74-5811, 74-5812, 74-5813, 74-5814, 74-5815, 74-5816, 74-5818, 74-5819, 74-5820, 74-5821 and 74-5823 and repealing the existing sections. First, the Vice-Chair requested that Norm Furse, Office of Revisor of Statutes, give a brief overview of the above bill. A copy of his handouts are (Attachment 9 and Attachment 10) attached hereto and incorporated into the Minutes as referenced.

CONTINUATION SHEET

MINUTES OF THE Senate Public Health and Welfare Committee at 1:30 P.M. on March 14, 2005 in Room 231-N of the Capitol.

As there were no questions and/or comments for Mr. Furse, Vice-Chair Schmidt called upon the first proponent conferee to testify. Dr. Allan White stated in his testimony stated as adopted by the House, **HB 2285** eliminates duplication and provides for greater efficiency in our health care system and the credentialing of hearing instrument dispensers. On behalf of KSHA, we appreciate your attention to our position today and encourage your support for **HB 2285**. A copy of his testimony is (Attachment 11) attached hereto and incorporated into the Minutes as referenced.

As there were no questions and/or comments for Dr. White, the Vice-Chair called upon the second proponent conferee to testify. Dr. John Ferraro, University of Kansas Medical Center, stated in his testimony that the completion of a doctoral or master's degree in Audiology from an accredited university program hold students to a much higher standard for serving patients in need of a hearing aid, than passing an exam designed for individuals with little to no academic and clinical training in this area. A copy of his testimony is (Attachment 12) attached hereto and incorporated into the Minutes as referenced.

As there were no questions and/or comments for Dr. Ferraro, Vice-Chair Schmidt called upon the first opponent conferee to testify. Dr. Elizabeth Karlsen, University of Kansas Medical Center, stated in her testimony if the amendment is allowed to pass, I feel I will be failing the hearing impaired consumers of Kansas and the colleagues who hold the same opinion as I. A copy of her testimony is (Attachment 13) attached hereto and incorporated into the Minutes as referenced.

Adjournment

As there were no further questions, the Vice-Chair said they would continue the hearing on **HB 2285** tomorrow, March 15, 2005. The meeting was adjourned at 2:45 p.m.

The next meeting is scheduled for Tuesday, March 15, 2005.