

## MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE

The meeting was called to order by Chairperson Brenda Landwehr at 1:30 P.M. on February 4, 2008 in Room 526-S of the Capitol.

All members were present except:  
Representative Ward

Committee staff present:  
Dianne Rosell, Revisor of Statutes Office  
Melissa Calderwood, Kansas Legislative Research Department  
Cindy Lash, Kansas Legislative Research Department  
Chris Haug, Committee Assistant

Conferees appearing before the committee:  
Kevin Robertson, Kansas Dental Association  
Marty Martin Kennedy, Department on Aging  
Representative Bob Bethell  
Joseph Kroll, Director of Bureau of Childcare & Health Facilities, KDHE

Others Attending:  
See Attached List.

The minutes for the January 28<sup>th</sup> and January 29<sup>th</sup> meetings were forwarded by e-mail for review. Representative Mast made the motion to approved the minutes. Representative Storm seconded. The motion carried.

Kevin Robertson, Kansas Dental Association introduced a bill that will amend the Dental Practice Act to allow and encourage more recent dental graduates to relocate to more rural locations, using satellite offices. (Attachment 1). Representative Morrison moved to allow the draft of this bill, Representative Mast seconded. The motion carried.

Chairperson Landwehr opened the hearing on **HB 2672 - Long-term care units, inspection by department on aging**. Dianne Roselle with the Revisor of Statutes office gave a staff briefing of **HB2672**. Sections 1 and 2 of this bill are just updates because the health care governing board was abolished previously and was replaced by the health policy authority. The remaining sections are carving out the inspection authority for long-term care units in whatever type of medical facility they are in, moving that from the KDHE to the Department of Aging. Sections 4, 5, 6 & 7 are amending those sections that are in Article 4 of Chapter 65 that deal with licensing of other types of medical facilities in general and this is just carving out a section for long-term care units.

Proponents:  
Martin Kennedy, Commissioner of Licensing, Certification and Evaluation with the Department on Aging gave testimony in favor. (Attachment 2) Commissioner Kennedy would like section 3-7 deleted. Part of section 6 (paragraph A) could stay as a clean up piece. He stated in his testimony to delete section 6, paragraph B. Commissioner Kennedy stated he would like to see that paragraph deleted. Representative Flaharty asked if he could briefly say what the facility inspections included. Commissioner Kennedy said anything having to do with health care and the quality of life. This would included the actual health care delivery in the home, as well as activity therapy, social work and anything contributing to quality of life.

Representative Bethell stated he was pleased to hear what Commissioner Kennedy had to say about the bill, having worked this through both the Health and Environment and Aging memorandum of understanding. He wanted to clarify what needed to be done with the bill. Sections 1 & 2 need to be left in. Section 6 needs to be remain with sub-paragraph A staying. It refers to the Kansas Hospital Authority in that paragraph and the word "Authority" should be changed to "Association". He felt this would bring continuity with the survey process for those people in long-term care units. Representative Rhoades wondered if there was a fiscal note or whether it was a transference. Representative Bethell said there would not be much of a fiscal note, they are transferring the position over to the Department on Aging. It would be a transfer out of KDHE to the Department on Aging. Representative Bethell had no written testimony.

## CONTINUATION SHEET

MINUTES OF THE House Health and Human Services Committee at 1:30 P.M. on February 4, 2008 in Room 526-S of the Capitol.

Joseph Kroll, Director of Bureau of Childcare & Health Facilities, KDHE gave testimony and endorsed what Commissioner Kennedy and Representative Bethell had said. (Attachment 3) Mr. Kroll mentioned that Mr. Kennedy suggested deleting sections 3-7. If sections 3-7 are retained there are a couple of flaws that would bring to your attention that would need to be corrected. Representative Bethell pointed out one regarding Kansas Hospital Authority needing to be changed to Association. On page 5, line 6-10, the proposed definition does not meet the federal definition and we recommend that be changed to match the federal definition. Page 7 line 5 only authorizes the Department on Aging to conduct inspections on units that are not accredited. Federal law requires that all units be inspected, regardless of their accreditation status, so that correction would need to be made as well. In summary, Mr. Kroll stated that they support the intent of this bill. They recommend the changes be made.

Written Testimony in support was submitted by:  
Chad Austin, Kansas Hospital Association (Attachment 4)

Written Testimony against:  
Kansas Advocates for Better Care (Attachment 5)

No one else wished to provide testimony. The hearing on **HB2672** was closed.

The meeting adjourned at 1:53 p.m. The next meeting will be February 5, 2008.