

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, 2007 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
Nobuko Folmsbee, Office of Revisor of Statutes
Morgan Dreyer, Committee Secretary

Conferees appearing before the committee:

Gilbert Cruz: Appointment for State Long-Term Care Ombudsman
Bud Burke, Kansas Physical Therapy Association
Paul Silovsky, Legislative Chair, Kansas Physical Therapy Association
Marcie Swift, PT, The University of Kansas Medical Center, PT program
Jerry Slaughter, Kansas Medical Society
Dr. Travis Oller, Legislative Chair, Kansas Chiropractic Association

Others attending:

See attached list.

Upon calling the meeting to order, Chairman Barnett asked that the Committee review the Minutes for March 7, 2007 and March 8, 2007 for approval at the end of the meeting.

Confirmation Hearing of Appointment

The Chair called upon Gilbert Cruz, Appointment for State Long-Term Care Ombudsman for the State of Kansas. Mr. Cruz thanked the Committee for the opportunity to come before them and introduced his family, and staff and gave some background information on himself.

Comments came from Senator Schmidt regarding that she knows Mr. Cruz in working on the Aging Committee and is very impressed with him and is glad to have him here for the Appointment of State Long-Term Care Ombudsman.

Comments came from Senator Haley joins with Senator Schmidt's comments in that he has worked with Mr. Cruz from the Aging Committee and that the Committee is fortunate to have him for this nomination to the full Senate.

Questions came from Brungardt regarding audits, enforcement, size of current staff.

The motion was made by Senator Haley to recommend to the full Senate the nomination of Gilbert Cruz for the position of State Long-Term Care Ombudsman. It was seconded by Senator Schmidt and the motion carried.

Action on HB 2214 – An act concerning the Kansas Dental Board; relating to sedation permits

Materials from the **HB 2214** hearing were included for the members to review. A copy of the materials are (Attachment 1) attached hereto and incorporated into the Minutes as referenced.

Nobuko Folmsbee handed out the balloons and new drafts of **HB 2214** to the Committee, as well as, explained the balloon. A copy of the balloons and bill drafts are (Attachment 2) attached hereto and incorporated into the Minutes as referenced.

Questions came from Senators Schmidt and Palmer regarding professional conduct for sedation permits, defined unprofessional conduct, how active is the Kansas Dental Board, complaints.

The motion was made by Senator Schmidt to adopt the balloon amendment and move the bill out favorably.

CONTINUATION SHEET

MINUTES OF THE Senate Public Health and Welfare Committee at 1:30 P.M. on March 14, 2007 in Room 231-N of the Capitol.

It was seconded by Senator Jordan and the motion carried.

Chairman Barnett called upon Terri Weber to read and explain **HB 2483**.

The chair then announced that he would open the hearing on **HB 2483**.

Hearing on HB 2483 – An act concerning physical therapy

Chairman Barnett called upon proponent conferee, Bud Burke, Kansas Physical Therapy Association who stated his gratitude in creating the language and legislation and recognized those who all helped him to do so. He also had Nobuko hand out his balloon for the bill.

No questions came from the Committee.

The Chair then called upon proponent conferee Paul Silovsky, Legislative Chair, Kansas Physical Therapy Association who stated that direct access to a licensed physical therapist should encourage preventative care, make physical therapy services available to more people, allow for an earlier return to work and healthy lifestyles and reduce the need for long term care by providing early intervention. A copy of his testimony is (Attachment 3) attached hereto and incorporated into the Minutes as referenced.

No questions came from the Committee.

Chairman Barnett called upon proponent conferee, Marcie Swift, PT, The University of Kansas Medical Center, PT program who stated her support for the bill, as well as, background to physical therapist's education, and support for inclusion of wellness as an amendment to **HB 2483**. A copy of her testimony is (Attachment 4) attached hereto and incorporated into the Minutes as referenced.

No questions came from the Committee.

The Chair called upon the last proponent conferee, Jerry Slaughter, Kansas Medical Society who stated that the bill allows PTs to initiate treatment on individuals without a physician referral, under certain conditions. A copy of his testimony is (Attachment 5) attached hereto and incorporated into the Minutes as referenced.

Questions came from Senator Barnett and Emalene Correll regarding referrals, current treatment of patient, out-of-state referrals, acceptance of out-of -state orders.

Chairman Barnett then called upon neutral conferee, Dr. Travis Oller, Legislative Chair, Kansas Chiropractic Association who stated that they have discussed with the KPTA about their concerns with this amendment language as well as our concerns about education levels; however, at this time we have not resolved these issues. A copy of his testimony is (Attachment 6) attached hereto and incorporated into the Minutes as referenced.

Questions came from Senators Haley and Palmer regarding technical change, what degrees and hours to physical therapist have.

Chairman Barnett announced that the Committee would work the bill one week from today and closed the hearing on **HB 2483**.

The Chair announced that the final item on the agenda was for the Minutes for the Senate Public Health and Welfare Committee on March 7, 2007 and March 8, 2007.

The motion was made by Senator Schmidt to approve the Minutes. It was seconded by Senator Jordan and the motion carried.

Adjournment

As there were no more items on the agenda, the meeting adjourned at 2:30 p.m.

CONTINUATION SHEET

MINUTES OF THE Senate Public Health and Welfare Committee at 1:30 P.M. on March 14, 2007 in Room 231-N of the Capitol.

The next meeting is scheduled for March 15, 2007.