

Approved: July 21, 2006
Date

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 12:15 P.M. on March 30, 2006, in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Jill Wolters, Revisor of Statutes Office
Michael Corrigan, Revisor of Statutes Office
J. G. Scott, Kansas Legislative Research Department
Reagan Cussimanio, Kansas Legislative Research Department
Audrey Dunkel, Kansas Legislative Research Department
Debra Hollon, Kansas Legislative Research Department
Susan Kannarr, Kansas Legislative Research Department
Amy VanHouse, Kansas Legislative Research Department
Judy Bromich, Chief of Staff
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Gary Daniels, Secretary, Kansas Department of Social and Rehabilitation Services
Representative Lana Gordon
Michael J. Hammond, Executive Director, Association of Community Mental Health Centers of Kansas, Inc.
Thomas Zaborowski, Chief Executive Officer, Valeo Behavioral Health Care
Bryce Miller, on behalf of the Depression and Bipolar Support Alliance
Amy Campbell, Kansas Mental Health Coalition
Sky Westerlund, National Association of Social Workers, Kansas Chapter
Jack Alexander, Kansas State Fire Marshal
Chad Austin, Vice President, Government Relations, Kansas Hospital Association
Justin K. Holstin, Executive Vice President, Propane Marketers Association of Kansas
Jeff Hudson, Fire Chief, City of Shawnee, Kansas
Debra Zehr, Exec. Vice President, Kansas Assn. of Homes and Services for the Aging (written)
Audrey Sheets, Administrator, Enterprise Estates Nursing Center
Phyllis Kelly, Executive Director, Kansas Adult Care Executives Association

Others attending:

See attached list.

Bill Introduction

Senator Umbarger moved, with a second by Senator Emler, to introduce a bill regarding schools; accreditation; student performance standards. Motion carried on a voice vote.

The following sets of minutes from the following meetings were distributed for review by the Committee and they will be approved during the upcoming Omnibus Session:

February 1, 2006	February 7, 2006
February 9, 2006	February 14, 2006
February 16, 2006	February 17, 2006
February 20, 2006	February 21, 2006
February 28, 2006	March 2, 2006
March 6, 2006	March 7, 2006
March 9, 2006	

Chairman Umbarger called the Committee's attention to discussion of:

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 12:15 P.M. on March 30, 2006, in Room 123-S of the Capitol.

HB 3005--Establishing the veterinary training program for rural Kansas

Senator Taddiken moved, with a second by Senator Emler, to amend HB 3005 on page 2, line 9, change the service obligation from 120 back to 48 months which was the original language in the bill. Committee discussion followed. Senator Taddiken withdrew his motion, with agreement by Senator Emler, the second to the motion.

Senator Schmidt moved, with a second by Senator Teichman, to amend HB 3005 to reduce the service obligation from 120 months to one year for each year of assistance received. Motion carried on a voice vote.

Senator Teichman moved, with a second by Senator Kelly, to amend HB 3005 to limit the service area from counties with a population of 25,000 or less. Motion carried on a voice vote.

Senator Barone moved, with a second by Senator Emler, to recommend HB 3005 favorable for passage as amended. Motion carried on a roll call vote.

HB 2967--Reimbursement of political subdivisions for health insurance of employees on state active duty in the national guard

Senator Emler moved, with a second by Senator Barone, to recommend HB 2967 favorable for passage. Motion carried on a roll call vote.

Chairman Umbarger opened the public hearing on:

HB 2520--Community mental health center licensure

Staff briefed the Committee on the bill.

The Chairman welcomed the following conferees on the bill:

Gary Daniels, Secretary, Kansas Department of Social and Rehabilitation Services, testified with information regarding **HB 2520** (Attachment 1). Secretary Daniels explained that if the bill passes, SRS would continue to provide State monitoring activities for the purposes of assuring regulatory compliance, contract and grant compliance, and quality improvement. He noted that currently there are two CMHC's in Kansas that maintain national accreditation status.

Representative Lana Gordon testified in support of **HB 2520** (Attachment 2). Representative Gordon explained that the issue of deemed status as presented in the bill was brought to her attention several years ago. She noted that those seeking consideration of the bill are wanting to be able to use the national CARF accreditation process which is a more thorough approach than that used by SRS in evaluating Community Mental Health Centers.

Michael Hammond, Executive Director, Association of Community Mental Health Centers of Kansas, Inc., testified in support of **HB 2520** (Attachment 3). Mr. Hammond mentioned that in Kansas there are currently two CMHCs that are accredited by national organizations. He noted that the Association believes that the standards of the national accrediting bodies complements the SRS licensing regulations in that they seek and achieve the same goals of quality care, fiscal soundness, and corporate compliance, with both focusing on clients and client rights.

Thomas Zaborowski, Chief Executive Officer, Valeo Behavioral Health Care, spoke in support of **HB 2520** (Attachment 4). Mr. Zaborowski provided some background information and details regarding deemed status. He explained that the Commission on the Accreditation of Rehabilitation Facilities (CARF) is a private, not-for-profit internationally recognized organization that promotes quality rehabilitation services. Mr. Zaborowski mentioned that Valeo believes that the 800+ CARF standards complement the SRS licensing regulations in that they seek and achieve the same goals of quality care, fiscal soundness, and corporate

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compliance, both CARF and SRS each sent three surveyors, each spending 3-4 days on site.

Bryce Miller, Topeka, testified in support of **HB 2520** (Attachment 5). Mr. Miller explained that the bill provides for voluntary national accreditation by a community mental health center (CMHC), but eliminates the duplication of state licensing requirements for that same CMHC. He noted that last year 31 states had a “deemed status” arrangement and now that number has climbed to 47 states.

Amy Campbell, Kansas Mental Health Coalition, spoke in support of **HB 2520** (Attachment 6). Ms. Campbell explained that although the bill does not require national accreditation, it does remove one of the disadvantages currently faced by a community mental health center which may otherwise consider accreditation. She noted that the Coalition enthusiastically supports **HB 2520**.

Sky Westerlund, Executive Director of the Kansas Chapter, National Association of Social Workers (KNASW), testified in opposition to **HB 2520** (Attachment 7). Ms. Westerlund noted the following information:

- KNASW supports the state licensure of the 29 CMHC’s across the state and supports accreditation of such programs as well; however, they cannot support the state using accreditation as a replacement for the state licensure standards in the CMHC licensure renewal process.
- The purpose of state licensure is to protect the public.
- **HB 2520** creates a way for the CMHC to be licensed but not necessarily accountable to that licensure.

Ms. Westerlund urged the Committee to carefully consider the differences between accreditation and licensure, namely that accreditation is a voluntary national standard of care in contract that the state licensure is specific to Kansas and is about protecting the public.

There being no further conferees to come before the Committee, the Chairman closed the public hearing on **HB 2520**.

The Chairman opened the public hearing on:

HB 2978--Informal resolution of disputes of deficiencies cited by fire inspectors

Staff briefed the Committee on the bill.

The Chairman welcomed the following conferees on **HB 2978**:

Jack Alexander, State Fire Marshal, testified as a proponent on **HB 2978** (Attachment 8). Mr. Alexander explained that he felt that the bill has merit, but requires more study to coincide with the package of sister bills that were introduced with this one. He offered a balloon amendment for consideration and is attached to his written testimony.

Chad Austin, Vice President, Government Relations, Kansas Hospital Association, spoke in support of **HB 2978** (Attachment 9). Mr. Austin explained that HB 2978 allows for an objective review of any cited deficiency by creating an independent review panel consisting of one member from the Kansas State Fire Marshal’s Office and two members from outside the agency. They support limiting the bill to medical care facilities and nursing homes.

Justin Holstin, Executive Vice President, Propane Marketers Association of Kansas, testified as a neutral conferee on **HB 2978** (Attachment 10). Mr. Holstin asked that their industry be exempted or the bill narrowed so that they may retain a system that they believe meets the needs of the industry. He also mentioned that they support the proposed amendment and support an interim study.

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Jeff Hudson, Fire Chief, Johnson County Fire Chiefs' Association, testified as a neutral conferee on **HB 2978** (Attachment 11). Mr. Hudson explained some significant issues that they as Fire Chiefs in the State of Kansas see as problems that would be created if they, as local leaders in fire safety, lose the ability to handle fire code issue disputes through due process in their own communities. This information is detailed in Mr. Hudson's written testimony.

Written testimony was submitted by the following conferees on **HB 2978**:

- Debra Harmon Zehr, Executive Vice President, Kansas Assn. Of Homes and Services for the Aging (Attachment 12)
- Audrey Sheets, Administrator, Enterprise Estates Nursing Center (Attachment 13)
- Phyllis Kelly, Executive Director, Kansas Adult Care Executives Association (Attachment 14)

There being no further conferees to appear before the Committee, the Chairman closed the public hearing on **HB 2978**.

Senator Barone moved, with a second by Senator Kelly, to recommend **HB 2978** be assigned to an interim committee during the summer along with the additional four sister bills. Motion carried on a voice vote.

The meeting adjourned at 1:15 p.m. The next meeting was scheduled for March 31, 2006.