

MINUTES OF THE HOUSE FEDERAL & STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairperson Doug Mays at 1:40 p.m. on February 21, 2002 in Room 313-S of the Capitol.

All members were present except: Representative Judy Morrison, Excused
Representative Broderick Henderson, Excused

Committee staff present: Mary Torrence, Revisor of Statutes
Russell Mills, Legislative Research Department
Shelia Pearman, Committee Secretary

Conferees appearing before the committee:

Representative Daniel Thimesch
Nancy Armstrong, Veteran
Jim Bunker, Advisory Board Chairman
Steve Goodman, Kansas Soldiers Home Superintendent
Hue Grossman, Springhill
Wendy Hanault, Veteran's Spouse
Paula Koch, Pharmacist
Ronald Pope, Kansas Trial Lawyers Association
Tonya Ricklefs VanSickle, Kansas Persian Gulf War Health Initiative
Ken Rogers, Gulf War Veteran

Others attending: See attached list

Without objection, bill was introduced as requested by Representative McKinney regarding tribal law enforcement officer added to listed officers regarding battery of law enforcement officers listed. [HB 3004]

Without objection, bill was introduced as requested by Representative Wilson urging Citizens Advisory Group and U.S. Congress to create a coal miners commemorative stamp. [HR 5051]

Chairman Mays re-opened the hearing on HB 2711 - Health care providers' rights of conscience act.

Mr. Pope addressed the concerns of members of the Kansas Trial Lawyers Association remains opposed to the proposed legislation originally drafted as **HB 2491** although some concerns were addressed. This legislation opens an additional avenue to insurance companies to deny payment of claims with a major effect on Kansas citizens predominantly on rural citizens. He urged the committee to not design a bill to determine an individual's health care based on monetary profit by an insurance corporation despite physician's directives. Upon questioning by committee, Mr. Pope referred to the conscientious objectors of the Vietnam War era which was not applicable to corporations not supplying materials for the war. He also discussed the accessibility of insurance contracts versus the benefits summary for each individuals. He recommended the decision regarding specific medical services and products should to remain between the physician and the patient rather than include the insurance company. (Attachment #1)

Chairman Mays acknowledged written testimony submitted by Kansas Nurses Association (Attachment #2) opposing **HB 2711**, as well as Kansas Hospital Association (Attachment #3) and Kansas Medical Society (Attachment #4) in support of **HB 2711**.

Ms. Koch was fired from a pharmacist position after working for 18 months with an alternative dispensing agreement permitting her not to dispense the "morning after" pill because of her faith. (Attachment #5) She emphasized pharmacists have worked very hard to be considered partners in the health care team and believe they should be granted the same protection of the law that physicians currently experience. She cited the American Pharmaceutical Association policy which unequivocally recognizes the pharmacist's right to exercise conscientious refusal.

The hearing on HB 2711 was closed.

Chairman Mays opened the hearing on HB 2770 - Persian Gulf War veterans health initiative act.

funding. Due to time limitations, Representative Thimesch introduced the bill and cited written testimony available (Attachment #6 and Attachment #7).

Ms. VanSickle cited Dr. Lea Steele's study of over 2,000 Kansas Persian Gulf War veterans published in the American Journal of Epidemiology which was nationally recognized due to presentation of patterns of Gulf War Illness victims. She stated the toll-free hotline is a welcomed tool for Kansas Veterans to obtain and share information regarding illnesses they have encountered since returning from the war including birth defects of their dependents. She urged the committee to support **HB 2770** to honor the veterans in their time of need who served our country. (Attachment #8)

Mr. Bunker stated the troops were exposed to many different toxic elements during the war. He urged the committee to support **HB 2770** to further show that Kansas cares about the increasing medical needs of its veterans. (Attachment #9)

Ms. Armstrong provided the committee information regarding medical claims which have been dismissed despite easily diagnosable and treatable illnesses relating to her service in the Gulf War. She stated it is incumbent upon the State of Kansas to continue with their research into these Gulf War illnesses, to encourage the United States Government to commit more money to the research and accept the finding of any and all research without dismissing it. (Attachment #10)

Mr. Grossman stated more than 180,000 Gulf War Veterans are ill as a result of their service. He filed claims for disability in 1997 but is still awaiting his claim following a medical retirement. He urged the committee to support **HB 2770**. (Attachment #11)

Mr. Rogers expressed appreciation to the committee for the legislative funding provided during the 2001 session for Dr. Steele's research and expressed concern about the continuance of the program provided by **HB 2770** due to budgetary constraints. (Attachment #12)

Ms. Hanault addressed the committee regarding her son's birth defect. In 1995, the doctors were not familiar with a condition which was later listed in a national magazine about the increased defects in Gulf War Veterans' dependents. She urged support of **HB 2770** for the well-being of the veterans and their dependents.

Mr. Goodman urged the committee to support **HB 2770** in order to obtain funding for addressing the illnesses experienced by the Gulf War Veterans.

Representative Thimesch clarified the funding for this project would come from the sales of the various military license tags inasmuch as the project was not included in FY 2003 budget.

Representative Wilson made a motion to recommend HB 2770 favorable for passage.
Representative Cox seconded the motion. The motion carried.

The meeting adjourned at 3:10 p.m. The next scheduled meeting is February 25, 2002.