

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES.

The meeting was called to order by Chairperson Garry Boston at 1:30 p.m. on April 10, 2002 in Room 210, Memorial Hall.

All members were present except: Representative Lana Gordon, Excused
 Representative Nancy Kirk, Excused
 Representative Tricia Lightner, Excused
 Representative Peggy Long, Excused

Committee staff present: Dr. Bill Wolff, Kansas Legislative Research Department
 Emalene Correll, Kansas Legislative Research Department
 Norman Furse, Revisor of Statutes Office
 June Evans, Secretary

Others attending: See Attached Sheet

The Chairperson stated that minutes of March 14, 21, 26, April 1, 2, 3, and 4 were distributed and will asked for a motion at the end of the meeting.

The Chairperson stated last Thursday he suggested in order to expedite the process that we come together and spend time between then and this meeting today on trying to eliminate everything that was not absolutely essential in this bill and that has happened. John Federico came up with some items that was distributed to all members and we met with the Kansas Medical Society and as a result think we have a product that we can all agree on. I do want to make sure the entire committee knows that we are voting so we will not be voting on passing anything out today. We will continue our discussion on **SB 610 - Licensing of Naturopathic Physicians**. We will see if we are all on the same page and if there is agreement to proceed. Will turn this over to the Vice-Chairperson and Norm Furse will lead us through a new balloon. Then we will proceed, one reason I do not want to vote today is because after looking at and getting approval on this balloon we need to establish who else might be out there that has problems or would have amendments they might want to present that would actually be attached to that balloon. That is the process, that is what we are going to do.

Representative Welshimer said if we aren't going to do that today when will we do that?

The Chairperson said we have a meeting on call tomorrow. What we want to do is go as far as we can today. Would like for everyone to know if we get to the point where we can go ahead and vote, tomorrow would be the day.

Vice Chairperson Morrison said time had been spent going over the bill and staff drafted this new amendment which represents what we believe is our best effort of trying to get something done. This is between the minority leader, Chairperson Boston and myself, no one else is aware of this. We need to make sure that copies are given to other interested parties so they can follow the review.

The Chairperson said it is his assumption that after everyone gets a chance to digest this, that tomorrow the meeting that has been on call, we will meet tomorrow, it will be for the people that after having digested this, still have some concerns or issues that they would want to amend and will try to run through that as quickly as possible if there are those concerns. We will have the meeting tomorrow that has been scheduled at 1:30 tomorrow in this room and at that time we will try to adopt this balloon and use as a beginning point to move to a final product.

Norman Furse briefed the committee on the new balloon.

Representative Welshimer asked if there was any sunset provision?

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Staff replied there is no sunset provision.

The Chairperson said at this time we are trying to figure out if the committee feels we have a product that can be fine tuned if necessary. We are not working the bill right now. Your questions are encouraged but at this point we are trying to establish something that we believe is a basis to work from and would like to know from the members of the committee what their feeling is.

Representative Welshimer said it worried her.

Representative Palmer asked what had been accomplished to protect the public by regulating opposed to licensing?

Staff said that people under this Act these people that qualify are protected. They no longer in Kansas can use titles if not qualified and if they have the title are recognized and protected by the state as being qualified. This assures legal and criminal protection. It does not protect public from other types doing this.

Representative Storm asked if the fees were consistent with MDs and DOs? Suggest that fees be more in line by tomorrow. How often will doctors order intravenous?

Staff said these fees were set up similar to MDs and DOs.

Representative Showalter said this was a collaboration and this medicine has been around for hundreds of years and just now recognizing it. It is not an easy process.

Vice Chairperson Morrison said this is a step and it will result in licensure down the road. There are many health care areas that will want this process. Need to develop a collaborative process. We know we need alternative care. This at least gets everyone talking and if the system works will get to licensure. We do not want a sunset. We need stronger protection and go through the process. This starts us on that process.

Representative Welshimer said that medical doctors are now taking 200 hours of training and that gives them respect of what naturopathic physicians have done in this profession and in that they are working together. Those doctors that have taken an interest in this, they have been intimidated and ostracized by the profession. We have to be careful about what we do here without giving the naturopathic doctors for what their profession is.

Vice Chairperson Morrison said I understand the procedures. The only way we can do is to force the relationship and the way to do that is registration.

Representative Welshimer asked if the medical system would change so they would promote getting together rather than prevent it.

Vice Chairperson Morrison said that registration forces them to respond. The bill is set up so it can be switched to licensure very easily.

Chairperson Boston said that he would reiterate what Representative Morrison said. It is difficult for us to set a timeframe or use a sunset but in our collaboration as far as coming up with this balloon, our intent was for this to lead directly to licensure very easily. Not necessarily for everybody in the profession, but for those that want to be licensed.

The Chairperson asked if anyone in the audience would like to ask questions, this is highly unusual, but there has not been much time to look at the balloon and this.

Dr. Khosh said he did not see any protection. Medical doctors do not have the protection.

Vice Chairperson Morrison said he had been there done that with the option.

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Staff said some of this would fall under the Healing Arts Act. The people registered under this would be able to perform duties as listed here.

Vice Chairperson Morrison said this came through the naturopaths. Other areas are going to come in for licensing. Nurses earlier were registered then licensed but are now licensed although they are still called registered. Others have gone through this process.

The Chairperson said his take on this is that if we do have a question with the Board of Healing Arts determining what kind of qualifications are necessary in this bill, if you have licensure right now, we would not have anybody that rules. I think there will be enough lead time for the Board of Healing Arts to determine what the qualifications are of the universities that teach naturopathy. Am referring specifically to the Department of Education's letter on the disqualification that you are aware of. I think we need to make sure that the Board of Healing Arts or some regulatory agency has the authority that says this is what needs to be done in order for the state to grant licensure because when the state grants licensure they are giving the authority of the state of Kansas saying you people are qualified. I don't know whether you are or not. That is not for me to decide. If we are going to grant licensure the people of Kansas needs to know that the product we are authorizing is good. I think there needs to be lead time but as these things come together licensure would be there for the ones that want licensure. We could even have registration that would go to the lowest level, certification for those that don't want licensure could be certified or remain the way it is, but there would be levels. However you decide to do that. Each person could chose the level they want to serve and would not effect people at different levels. That is what my original idea was.

Representative Welshimer said this is bogging us down. As we get into this registration bill, with the time left how is the Senate going to deal with that. I would like to work with the Senate version or the Sub-Committee's amendment and understand your concern in not wanting any motions but would still like to make a motion that we pass out the version of the Sub-Committee's amendment to the bill.

The meeting adjourned at 2:10 p.m.

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