

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 February 20, 2001 in Room 210 Memorial Hall

All members were present except: Representative Sue Storm, Excused

Committee staff present: Dr. Bill Wolff, Kansas Legislative Research Department  
Norman Furse, Revisor of Statute's Office  
June Evans, Secretary

Conferees appearing before the committee: Mary Lou Davis, Executive Director, Board of Cosmetology

Others attending: See Attached Sheet

The Chairperson stated if members wanted information in their folders to take their file folders with them and new ones would be made for the Senate Bills.

The Chairperson recognized Representative Kirk for a motion.

Representative Kirk moved and Representative Landwehr seconded to reconsider the actions yesterday of HB 2229. The motion carried.

Representative Kirk moved and Representative Landwehr seconded to strike the language in the balloon that speaks to the issue of 85% rule and leave in everything that has to do with "subject to appropriations" and all of the pass through language for all the costs that mandates that.

Representative Landwehr asked if Representative Lightner's amendment yesterday could be included?

The Chairperson stated this just removed the language on the 85% rule.

Representative Landwehr stated on (g) amendment passed out yesterday to strike the last sentence.

The Chairperson stated we are not working the bill at this point, but getting the bill back. With the funding struck in the bill, the Speaker will go ahead a bless the bill so we can come back and rework the bill when we have more time. If the money part is struck, the Speaker indicated he would bless the bill. We have a lot of work today and don't want anyone to feel rushed.

Representative Kirk stated if we could just strike the language to take the money out.

Representative Landwehr moved and Representative Lightner seconded a substitute motion to strip everything back to the original form with Representative Lightner's amendment to strike "Any minimum occupancy requirement applied to nursing facility costs shall include only those costs that are fixed and unalterable regardless of resident census" and add Representative Kirk's appropriation language "Within the limits of appropriations therefor, the".

The Chair stated the bill was back in committee, is there further discussion?

Representative Kirk said the problem with that is the language trying to maintain in the bill was authorized accounted for in the reimbursement rate.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES, Room 210, Memorial Hall at 1:30 p.m. on February 20.

The Chairperson said were not going to take anymore time on this and would move on. The action is closed on **HB 2229**.

The Chairperson asked what the committee's pleasure was on **HB 2015**.

Staff brief the committee on the balloon.

Representative Morrison moved and Representative Swenson seconded to accept the balloon (Attachment 1). The motion carried.

Representative Flaharty questioned if this included private colleges.

Staff said, yes.

Representative Long moved and Representative Wells seconded to move **HB 2015** out as amended. The motion carried.

The Chairperson asked the committee's pleasure on **HB 2170**.

Representative Lightner moved and Representative Merrick seconded to move **HB 2170** out favorably.

Representative DeCastro stated she had a problem with the bill. Not sure what this bill exactly does. This is a duplication and already covered and am in opposition of this bill.

Representative DeCastro moved and Representative Landwehr seconded to Table **HB 2170**. The motion carried.

The Chairperson asked what the committee's pleasure was on **HB 2041**.

Representative Long moved and Representative Welshimer seconded to Table **HB 2041**. The motion carried.

The Chairperson asked what the committee wished on **HB 2275**.

Representative Long moved and Representative Welshimer seconded to move **HB 2275** out favorably.

Representative Landwehr stated she had concerns on licensing fees and application fees.

Representative Landwehr moved and Representative DeCastro seconded to Table **HB 2275**.

A show of hands was called – yes 6; no - 8. Motion fails and back on the bill.

The Chairperson asked for a hand count of who wanted to move **HB 2275** out favorably.

A show of hands was called – yes 8; no 5.

The following wanted to be recorded as voting NO - Representatives DeCastro, Landwehr and Palmer.

Representative Long moved and Representative Patterson seconded to move **HB 2227** out favorably. The motion carried.

The Chairperson opened the hearing on **HB 2314 - Reciprocity and student instructor's permits**.

Mary Lou Davis, Executive Director, Kansas Board of Cosmetology, testified in favor of **HB 2314**, stating several provision of the law were inconsistent or in need of technical changes and significant changes which

## CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON HEALTH AND HUMAN SERVICES, Room 210, Memorial Hall at 1:30 p.m. on February 20.

include a permit fee for the student instructor, reciprocity process revised, fee structure would provide consistency in biennial renewal fees, disciplinary action for violation and disciplinary action based on disciplinary action taken against them in another state (Attachment 2).

Representative Lightner moved and Representative Showalter seconded to move **HB 2314** out favorably.

Representative Landwehr stated this gives broader authority which we should not do. Better in other areas. Could put entire Board under KDHE. This goes beyond the limits.

Representative Landwehr moved and Representative Palmer seconded a substitute motion to Table **HB 2314**.

The Chairperson asked for a vote to Table the bill and the motion failed.

The Chairperson said were back on the bill to pass out and asked for a show of hands to move **HB 2314** out favorably. Yes - 10; No 5. The motion carried to move **HB 2314** out favorably.

The following requested to be recorded as voting **NO**: Representatives Landwehr and Palmer.

The Chairperson stated there was time to revert back to **HB 2229**. There is time to go back and try to resurrect what is left of it. There are two choices: I must sign and turn in the Committee Report and told if that is done, the bill will stay below the line. We need to pull the money back out of the bill and in doing that I have no problems with starting all over again but would have to reverse everything and pull it out. Go back to the original bill and work Representative Lightner's amendment and come back and add Representative Kirk's language in.

Representative Landwehr and Representative Palmer withdrew their substitute motion.

Representative Kirk said she was not opposed to striking all of the 85% language, reinstate the original (e) and deleting the last sentence which is Representative Lightner's amendment and on new (g) in Representative Kirk's balloon, "Authorized expenditures not otherwise accounted for in the reimbursement rate of the facility, not under the control of the facility and required by the state of Kansas or federal mandates shall be reimbursed by the state as a direct-cost pass-through". Leave in the amendment "within the limits of appropriations therefore, the" in the balloon.

Representative Kirk suggested to start planning now for the elimination of the 85% rule and give a mandate to have it begin in 2004. There would be 18 months to plan for it.

The Chairperson stated we are walking a very fine line and this is the reason I prefer to have the bill blessed and bring it back. Possibly, we could explore that type of thing but can't do it right now because we can't go where we don't know.

Representative Morrison moved and Representative Showalter seconded a substitute motion to remove the 85% rule to make compatible to Speaker and keep in committee and let the Speaker bless and bring back to work. The motion carried.

Representative Lightner wished to be recorded as voting **NO**.

The meeting adjourned at 2:30 and the next meeting will be February 28.