

Legislative Update
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Less than a week from legislative turnaround

The official halfway point in the legislative session is nearly here. February 27 marks the day when all bills, except those that are in exempt committees or are “blessed” by exempt committees, must have passed their chamber of origin – that is, House bills must pass the House and Senate bills must pass the Senate.

Exempt committees include Appropriations, Ways and Means, Federal and State Affairs, and Tax. That is why a number of bills from other committees suddenly get sent to one of the exempt committees at this point in the session. It indicates that a committee wants to take action on a bill, but more time is needed.

Monday and Tuesday will see committees working to complete action on myriad bills, with the balance of the week devoted mostly to bill debate in both the House and Senate chambers.

Back to the Table for APRN Compromise

A bill introduced by the Kansas Medical Society and supported by KAFP, [SB 218](#), had a hearing in the Senate Public Health and Welfare Committee on Wednesday. SB 218 is identical to a bill introduced in the House earlier this session, HB 2205.

KAFP testimony outlined the Task Force process last year between physicians and APRNs, ostensibly seeking a compromise. Key to that was that the APRNs’ presenting issue of collaborative agreements not always being appropriately supervised by physicians. When physicians offered to tackle that, they were told that the APRNs wanted the same legislation as they’ve sought the past two years – independence from physicians and a much broader scope of practice.

In fact, when asked what the APRN group saw as a potential compromise, they stated it was the legislation they sought. In other words, they were seeking physicians to capitulate to their full position.

Physicians countered by suggesting that if they wanted to cross over from the practice of nursing to that of medicine, then they should be regulated by the entity legally charged to supervise the practice of medicine in Kansas – the Board of Healing Arts. They ardently opposed that.

It was from this nexus that KMS proposed the legislation contained in SB 218 and HB 2205, which would create a joint advisory committee of appointees from the Boards of Nursing and Healing Arts to make

specific practice decisions. The hearing on Wednesday created the same oppositional outcry from APRNs, some even claiming the bill would “end APRN practice in Kansas.”

Legislators have been overwhelmed with communications from APRNs and physicians this session, and they have been clear that it is too complicated for them to determine in the limited committee hearing time they have.

While the Senate committee members commended KMS and the physicians for at least forwarding a compromise position, they weren't confident SB 218 met what they're seeking from the groups. Rather, they want the two sides to come together, jointly craft a compromise, and bring it to them. Effectively, they signaled that neither the physician-led bills nor the APRNs' bills were acceptable and would not be moving this session.

KMS, KAFP, and other physician associations reached out and hosted Task Force meetings this last year to no measurable avail. Perhaps it is now time for the APRN groups to seek out reasonable compromise and perhaps the urging from the Senate Public Health and Welfare Committee will provide impetus for them to do just that.

Tobacco Tax Increase Bill Hearing

The House Taxation Committee held a hearing on the governor's tobacco tax proposal, contained in [HB 2306](#). The bill would increase the tax on a pack of 20 cigarettes by \$1.50, from \$0.79 to \$2.29. Other tobacco products would see a tax increase from 10%, to 25%, wholesale sales price. The tax would not be extended to e-cigarettes.

KAFP and a host of other organizations – including American Cancer Society, American Heart Association, KU Cancer Center, Tobacco Free Kids, KMS, and KHA – provided testimony focusing on the health benefits achieved when individuals quit smoking or, better yet, never start.

Beyond the health benefits, a representative from Tobacco Free Kids cited research that tobacco excise tax revenues have continued to be a stable source of revenue and that border price issues have very little long-term impact on that.

Americans for Prosperity, tobacco companies and others representing cigar stores strongly opposes the legislation. Perhaps the most sound argument was that Kansas' revenue problems are driving this proposal and those problems should not have to be solved by people who had no part in creating the problems.

The state needs revenue solutions, for sure, but the Tax committees seem very reluctant to move the governor's tax proposals through, including tobacco. That may change nearer the end of the session, after the consensus revenue estimates are determined in April.

The hard fact is that cutting nearly \$700 million out of the State Budget is going to be extremely difficult and will require cuts that strike at the very services Kansans depend on in this state – quality schools, good roads, health care access, and public safety. A prudent course will require both budget cuts and some raised revenues. This issue is likely to brew till the very end days of the 2015 session.

Family Doctor of the Day Recognition

A special **thank you** goes out to those providing FDOD services this past week: **Dr. John Feehan**, Olathe; **Dr. Cathy Woodring**, Clearwater; and **Dr. Chad Johanning**, Lawrence. We know that setting aside this kind of time in your already busy schedules is not easy, but your commitment is truly appreciated!

There are still FDOD openings in the 2015 legislative session. In addition to providing an appreciated service to legislators, it allows an excellent opportunity to view the legislative process firsthand and to speak with your own legislators on KAFP legislative priorities.

Legislative Committee Meetings

Very few committee meetings are scheduled this next week, as the House and Senate will be devoting most of their time to floor debate and getting bills passed on to the next chamber.