

## Legislative Update

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### General Legislative Activity

The week of March 14 was filled with bill hearings and committee action on bills, as the Legislature is working toward its first adjournment. The legislative calendar has the adjournment of the regular session set for March 25, but legislative leaders are hoping to finish on Wednesday, March 23.

The plan is to debate all bills that legislative leaders currently intend to advance on Monday, then move to conference committee action on Tuesday and Wednesday. Conference committees are comprised of three members of the Senate and House committees that worked the bills – usually the chairs, vice chairs, and ranking minority (Democrat) members. They are charged with working out differences in bills they have both passed. In recent years, there have also been elements added in conference that are, in fact, new material. Technically, they are only to consider pieces in their respective bill versions, but that is not a strict rule.

This year legislators are shortening the regular session, planning either to wrap up in less than 90 days or to have the additional days saved if they need them in the veto session. Legislators are scheduled to return for the Veto Session in late April to wrap up their work. That work is likely to be especially challenging, as revenues have been trending downward, and that may cause the Legislature to have to find additional budget cuts upon their return.

There is legislation receiving mild consideration that would rescind what some refer to as the business income loophole that allows some 333,000 businesses to be excluded from state income taxes. As a practical matter, while that could relieve future years and create greater budget stability, it could not come fast enough to recoup projected losses in the current year.

The Consensus Revenue Estimating Group will meet in mid-April to project revenues for the next fiscal year, after which legislators hope to have a more certain budgeting target for wrapping up the legislative session.

### Action on CNM legislation

The House Health and Human Services Committee on Monday, March 14, held a hearing on HB 2732, which was described in last week's update. KAFP and KAOM joined with KMS to testify in favor of the bill. KMS testified on behalf of all three groups to allow plenty of time to explain why physicians were agreeing to support the bill. The testimony covered the process physicians have engaged in with APRNs and CNMs over many years' time and the compromise offers that have been offered and rejected.

The testimony did a good job of speaking to the concern of this being a "turf war," explaining that this is an issue of training and patient protection, and that anyone engaged in the practice of medicine in Kansas does so under the regulatory authority of the Board of Healing Arts.

Further, the bill allows those who want to maintain a collaborative physician agreement to continue to do so, just as they have done and be under the Board of Nursing. Only those who want to practice independent of that collaborative agreement would be regulated by the BOHA.

The certified nurse midwives who have been pushing for complete autonomy spoke aggressively against the bill and continue to maintain their opposition. They want the legislation they requested last year and made that very clear.

Committee chairman Rep. Dan Hawkins (R-Wichita) was very clear with them that their bill has not even been referred to his committee, will not get a hearing this year, and that they would be well-served to agree to this compromise legislation.

The next day the committee met to take action on the bill. While he does not support this legislation in full and thinks they shouldn't be allowed autonomy, Rep. Jim Ward (D-Wichita) spoke out and said he does believe this bill is a compromise and only supports it because of the BOHA oversight.

The committee then employed a procedural maneuver, whereby they stripped the contents of a bill passed already in the Senate – [SB 402](#), formerly dealing with charitable care and education credits – and inserted the contents of HB 2732. This procedure allows that if the bill passes the full House, then it will be eligible for conference committee work between House and Senate health committee members. As the bill came up later in the session, it was the best way to ensure it had further action this session. The committee passed the bill, with only one dissenting vote.

The House is scheduled to debate Sub for SB 402 on Monday, March 21. KAFP is working with KMS to urge legislative support for the bill. While it is not an ideal bill, it does nonetheless address significant concerns of physicians and those wanting to ensure appropriate patient protection and practice oversight.

KAFP members should be proud of the work done this year, especially with the family medicine presentation before the House Health and Human Services Committee in January. That had a significant impact on the direction this legislation has taken since. Indeed, we would not be at this point, with this legislation, without the work done then and throughout the session on this issue. KMS has done an excellent job of shepherding this effort for years and should also be commended for the significant work they have done on this issue.

### **Family Doctor of the Day**

Appreciation goes out to Academy members who served as Doctor of the Day at the Kansas Capitol this past week. Your simple gift of service makes a difference to so many, especially those who are away from their hometown physicians and needing medical attention. Following are those who served this past week: **Donald Milligan MD, FAAFP** (Kansas City) and **Doug Iliff MD, FAAFP** (Topeka).

### **Stay Tuned**

Next week's update will provide the status of legislation KAFP is tracking – what's passed, what's not and what's left to work on this session.