

**Legislative Update**  
**31 January 2014**  
**Prepared by: Dodie Wellshear, Government Relations Consultant**



**New APRN Practice Bill Introduced in Senate**

A new bill has been introduced in the Senate that would provide APRNs a path to independent practice synonymous with that of physicians.

[SB 326](#) is very similar to [HB 2251](#), introduced in the House in 2013, with one notable difference. The new bill would require a *transition to full practice*, which would be accomplished following 2,000 hours of collaborative practice with a physician or an APRN with full prescriptive authority.

The heart of the new bill, as with [HB 2251](#), is that it essentially would allow APRNs a practice scope independent of – and synonymous with – physicians' scope of practice.

[SB 326](#) is assigned to the Senate Public Health & Welfare Committee. **Members are encouraged to contact members of the committee, urging them to oppose this legislation.** Members of the committee, including where they reside are: Sen. Mary Pilcher-Cook, Shawnee (chair); Sen. Elaine Bowers, Concordia (vice-chair); Sen. Laura Kelly (ranking Democrat); Sen. Jim Denning, Overland Park; Sen. David Haley, Kansas City; Sen. Mitch Holmes, St. John; Sen. Jacob LaTurner, Pittsburg; Sen. Garrett Love, Montezuma; and Sen. Michael O'Donnell, Wichita.

Members desiring a list of talking points may contact the KAFP office.

**Non-economic Damages Bill Hearing Scheduled**

Legislation to change the cap on non-economic damages has been introduced in the Senate, at the request of the Kansas Medical Society. The legislation is being forwarded as a proactive response to the Kansas Supreme Court's *Miller v. Johnson decision*. While the decision supported the current law, the court also signaled that a review of the damages amounts might be in order.

[SB 311](#) would provide a structure timetable for increasing the limits on non-economic losses as follows:

- \$250,000 (current) for action accruing on or after July 1, 1988 and before July 1, 2014;
- \$300,000 for action accruing July 1, 2014 to July 1, 2018;
- \$325,000 for action accruing July 1, 2018 to July 1, 2022; and
- \$350,000 for action accruing on or after July 1, 2022.

A first hearing is scheduled Thursday, February 6, in the Senate Judiciary Committee. KAFP will submit written testimony supporting this legislation, as requested by KMS.

**HCSF Changes Clear First Committee**

[HB 2516](#), providing amendments to the Health Care Stabilization Fund, has passed out of the House Insurance Committee and will move to the full House for debate. The amendments would allow those covered to have the same insurance amount upon retirement, as they did prior to their retirement.

The bill also adds adult care homes, physician assistants, and more categories of advanced practice and clinical nurses to those covered by the HCSF. By including these additional practitioners, the possibility of vicarious liability for physicians is limited.

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

The Legislature and KAFP wish to thank the following for volunteering to provide the FDOD service at the State Capitol this past week: **Dr. Khalil Alleyne**, Topeka; **Dr. Chuck Allred**, Salina; **Dr. Brian Holmes**, Abilene; **Dr. John McMaster**, Wichita; and **Dr. Michael Engelken**, Topeka. Setting aside this kind of time in your already busy schedules is not easy, but your commitment is truly appreciated!

*Special note of thanks to Dr. Brian Holmes and his daughters, Anna and Beth, for allowing me to use the FDOD office for an important KAFP conference call, while Kansas Day festivities were in full (and very loud) swing. With bright and delightful young women such as Anna and Beth coming up in Kansas, our state definitely has a brighter future!*

### **Committee Meetings: Week of February 3, 2014**

Following is a list of selected legislative committee meetings of potential interest to KAFP members, as currently scheduled.

#### Wednesday, Feb 5

1:30pm, Senate Public Health & Welfare Committee, Room 118-N

*Informational hearing on: Health Savings Accounts; Massachusetts Health System*

1:30pm, House Health & Human Services Committee, Room 546-S

*Hearing on: [HB 2372](#) – Fluoride in water; cities other local units; disclosures*

#### Thursday, Feb 6

10:30am, Senate Judiciary Committee, Room 346-S

*Hearing on: [SB 311](#) – Increasing the non-economic damages cap; changing rules related to evidence of collateral source benefits and expert evidence*

1:30pm, Senate Public Health & Welfare Committee, Room 118-N

*Informational hearing on: Kansas State Board of Healing Arts*

1:30pm, House Health & Human Services Committee, Room 546-S

*Final committee action on: [HB 2435](#) – Restricting minors' access to a tanning device*