



Legislative Update

A message from KAAP Legislative Coordinator, Dennis Cooley, MD, FAAP

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Update from the 2016 Legislative Session

Greetings from the Chapter and welcome to this year's first Legislative Update. As in previous years, I will try to keep you abreast of activities in the capital and the Chapter's legislative efforts. One of the major changes this year is the Chapter's new Public Policy Committee. The purpose of the group is to monitor and evaluate legislative issues and make recommendations to the Board of Directors. The group will act on these issues per the BOD's decisions. Members of the group include: Laura Blasi, Kristie Clark, Kathleen Farrell, Dena Hubbard, Vidya Sharma, Pam Shaw, Ryan Smith, and Kathleen Weatherstone. The group has been meeting at least monthly since November.

BACKGROUND

I feel that some background might be important to start this year's Updates. The 2016 session began January 11. Ninety-seven Republicans and twenty-eight Democrats make up the House which is led by Speaker Ray Merrick of Stilwell. On the Senate side thirty-two Republicans and eight Democrats are led by President of the Senate, Susan Wagle of Wichita. Republican Governor Sam Brownback was re-elected in a close race in 2014. To say that the Republicans control the state is quite an understatement. In the past, the Republican party in Kansas could be divided into moderate and conservative camps. However, the conservatives are very much in control now with few moderates left in the legislature.

One of the big factors for this session is that it is an election year for all of the legislators. Because of this there is a desire to get done with business rapidly and close the session early, allowing members to hit the campaign trail. There is also, at least in some quarters, a belief that the conservative hold may be weakened in this coming election. There certainly is displeasure in the state with the current group of legislators, especially in regards to state finances. So legislators may be feeling the need to campaign hard for re-election. But something called the state budget could put a damper on those planning on an early exit. The State's revenues continue to be below estimates despite the fact these estimates have been lowered on numerous occasions over the last

few years. Kansas is running behind for 2016 and is projected to be \$190 million short for the 2017 budget according to KHI News service. The governor and the legislature have performed a number of transfers from state departments to try and close gaps in the State General Fund, but at this point the bottom of the financial spiral doesn't appear in sight. Further cuts to state services and further transfers of money are likely.

MEDICAID EXPANSION

The state continues to refuse Medicaid expansion despite what I feel is a growing support. Recently, there have been forums looking at expansion of the Medicaid program through innovative approaches such as the one done in Indiana. These have attracted support from many conservative Kansans and influential past legislators. The Governor, however, is steadfast in his refusal to expand the program and it is highly unlikely anything we be done this session. I feel that eventually the state will expand Medicaid. The election this year will be pivotal on how soon this expansion will occur.

BILLS

This is the second year of the two year bill cycle so bills that did not have a final action last year are still available for consideration this year. In the past, I would list various bills and discuss their progress. This tends to present with long lists so this year I will center on the topics and then describe what bills are involved. In this update I will focus on three issues:

Scope of Practice for APRNs and Midwives. Last year saw efforts by APRNs and Midwives to enhance their scope of practice to include independent practice without physician oversight. Previous arguments centered around differences in education, but this year the arguments are involving economics and free markets. The biggest push seems to be involving midwives and involves more than just delivering babies but also allowing midwives to provide primary care for women and in some instances infants. The KMS has led opposition to these proposals and the KAAP has been supportive of the KMS stance. We will continue to monitor this closely and if needed offer any support for the KMS including testimony.

Medical marijuana. This year there has already been a hearing concerning the use of Hemp oil to treat certain forms of intractable seizures. The bill, HB 2049, also includes language concerning penalties for marijuana possession and details on the manufacture of cannabinoid preparations and their distribution. Because of the complexity of this bill, the KAAP decided to remain neutral, but twill issue a policy statement that mirrors the AAP's policy on medical marijuana and criminalization of marijuana possession. This policy was sent to the BOD for approval and should be available on our web site.

Tanning bed usage in children and adolescents. The AAP and other health groups have strongly opposed allowing children and teens under 18 to use indoor tanning facilities. Recently, the FDA has proposed federal regulations which will prevent individuals under age 18 from using these facilities. Unfortunately, it may take years for these regulations to be approved. Because of this there have been statewide efforts around the country to address this issue. HB 2369 will prohibit individuals under 18 years of age in our state from using indoor tanning facilities. It will have a hearing on February 9th in the House Committee on Health and Human Services. KAAP will provide written testimony in favor of the bill.

I want to thank the members of the Public Policy Committee for the hard work they are doing in assisting with our legislative efforts. If you have any questions about any of the above or other legislative topics, please feel free to contact me at cooleymd@aol.com.

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