

**Weekly Summary of 2009 Legislation
House Bills**

Home Health Related

- KY H 3** **SPONSOR:** Steve Riggs (D)
TITLE: Durable Medical Equipment
DISPOSITION: Pending
LOCATION: House Appropriations & Revenue Committee
SUMMARY:
 Relates to durable medical equipment; exempts durable medical equipment from sales and use taxes.
STATUS:
 01/06/2009 INTRODUCED.
 01/06/2009 Filed as Bill Request Number: 437.
 01/08/2009 To HOUSE Committee on APPROPRIATIONS AND REVENUE.
NOTES: <http://www.lrc.ky.gov/record/09RS/HB3.htm>
Commentary:
 same as '08 HB 472 - assigned to House A&R
- KY H 30** **SPONSOR:** Mary Lou Marzian (D)
TITLE: Health Care Services
DISPOSITION: Pending
LOCATION: House Banking and Insurance Committee
SUMMARY:
 Prohibits a health benefit plan from excluding coverage for routine patient healthcare costs that are incurred in the course of a cancer clinical trial if the health benefit plan would provide coverage for the routine patient healthcare cost had it not been incurred in a cancer clinical trial.
STATUS:
 03/02/2009 To Banking & Insurance (S)
 02/26/2009 Received in Senate
 02/25/2009 3rd reading, passed 99-0 with floor amendment (1)
 02/13/2009 Floor amendment (1) filed
 02/12/2009 Received in House
 3rd reading, passed 27-9 with Committee Substitute, floor amendments (1) and (2)
 01/06/2009 INTRODUCED.
 01/06/2009 Filed as Bill Request Number: 177.

01/07/2009 To HOUSE Committee on BANKING AND INSURANCE.
02/11/2009 reported favorably, 1st reading, to Calendar
NOTES: <http://www.lrc.ky.gov/record/09RS/HB30.htm>
Commentary:
same as '08 HB 317 - passed House 97-0 w/ HCS; reported favorable from Sen. B&I, in Rules at end of Session

KY H 152 SPONSOR: Mike Harmon (R)
TITLE: Long Term Care Insurance Agent
DISPOSITION: Pending
LOCATION: HOUSE
SUMMARY:
Relates to long term care insurance agent compensation; establishes limits on compensation for agents who replace a long-term care insurance policy.
STATUS:
02/04/09 Banking & Insurance
01/08/2009 Introduced
NOTES: <http://www.lrc.ky.gov/record/09RS/HB152.htm>

KY H 169 SPONSOR: Ruth Ann Palumbo (D)
TITLE: Alzheimer's Disease
DISPOSITION: Pending
LOCATION: HOUSE
SUMMARY:
Relates to Alzheimer's disease and related disorders; requires an annual report on the activities of the Office on Alzheimer's Disease and Related Disorders; provides for a council membership of 16 members and delete requirement for a minimum of 15 members.
STATUS:
03/05/2009 2nd reading, to Rules
03/04/2009 Reported favorably, 1st reading, to Consent Calendar
03/02/2009 To Health & Welfare (S)
02/26/2009 Received in Senate
02/25/2009 3rd reading, passed 99-0 with Committee Substitute posted for passage in the Consent Orders of the Day for
02/13/2009 Wednesday, February 25, 2009
2nd reading, to Rules
Reported favorably, 1st reading, to Consent Calendar with

Committee Substitute
02/12/2009 Posted to Committee
02/05/2009
02/04/200909 To Health & Welfare
01/09/2009 Introduced
NOTES: <http://www.lrc.ky.gov/record/09RS/HB169.htm>

Commentary:

similar to '08 HB 627 - passed House 96-1, passed out of Sen. H&W, in Rules Cmtee at end of session

Other Health Related

KY H 34 SPONSOR: Mary Lou Marzian (D)
TITLE: Regarding Brain Injury Association
DISPOSITION: Pending
LOCATION: HOUSE
SUMMARY:
Relating to adding a member of the Brain injury Association of Kentucky to the Kentucky Recreational Trails Authority.
STATUS:
02/06/2009 INTRODUCED.
02/07/2009 To Tourism Development & Energy
02/10/2009 Posted in committee
NOTES: <http://www.lrc.ky.gov/record/09RS/HB190.htm>

KY H 5 SPONSOR: Tom Burch (D)
TITLE: Childhood Hearing Loss
DISPOSITION: Pending
LOCATION: House Health and Welfare Committee
SUMMARY:
Relates to childhood hearing loss; requires the commission to maintain a list of approved centers; requires approved centers to agree to provide data to the commission; includes approved audiological assessment and diagnostic centers on the list of those receiving an auditory screening report indicating a finding of potential hearing loss.
STATUS:
02/23/2009 To Health & Welfare (S)
02/10/2009 Floor amendment (1) filed to Committee Substitute

02/09/2009 Posted for passage in the Regular Orders of the Day for

February 10
02/06/2009 A 2nd reading, to Rules
02/05/2009 reported favorably, 1st reading, to Calendar with Committee Substitute
02/03/2009 Posted in committee

01/06/2009 INTRODUCED.
01/06/2009 Filed as Bill Request Number: 451.
01/08/2009 To HOUSE Committee on HEALTH AND WELFARE.
NOTES: <http://www.lrc.ky.gov/record/09RS/HB5.htm>

KY H 7 **SPONSOR:** Tom Burch
 TITLE: Long-Term Care Administrator Licensing
 DISPOSITION: Pending
 LOCATION: Appropriations & Revenue
 SUMMARY:
 Long-term care facility administrators licensing renewals and terminology
 STATUS:
01/06/2009 INTRODUCED.
01/07/2009 To HOUSE Appropriations & Revenue.
NOTES: <http://www.lrc.ky.gov/record/09RS/HB7.htm>

KY H 99 **SPONSOR:** Keith Hall (D)
 TITLE: Charitable Services from Physicians in Other States
 DISPOSITION: Pending
 LOCATION: House Health & Welfare
 SUMMARY:
 Permit physicians from other states to provide charitable health services in KY

STATUS:
03/05/2009 Enrolled, signed by Speaker of the House
 Received in House
 3rd reading, passed 37-0
 Posted for passage in the Consent Orders of the Day for
 Thursday, March 5, 2009
03/04/2009 2nd reading, to Rules

03/02/2009 Tuesday, March 03, 2009 - reported favorably, 1st reading, to
 02/26/2009 Consent Calendar
 02/25/2009
 To Licensing, Occupations & Administrative Regulations (S)
 02/13/2009 Received in Senate
 3rd reading, passed 99-0 with Committee Substitute, committee
 amendment (1-title)
 02/12/2009 posted for passage in the Consent Orders of the Day for
 Wednesday, February 25, 2009
 2nd reading, to Rules
 Reported favorably, 1st reading, to Consent Calendar with
 Committee Substitute, committee amendment (1-title)
 01/06/2009 INTRODUCED.
 01/08/2009 To HOUSE Committee on HEALTH AND WELFARE.

NOTES: <http://www.lrc.ky.gov/record/09RS/HB99.htm>

KY H 15 SPONSOR: Melvin Henley (D)
TITLE: Substance Abuse
DISPOSITION: Pending
LOCATION: House Health and Welfare Committee
SUMMARY:

Implements 2 pilot programs to screen for substance abuse by adult persons receiving or seeking to receive monetary public assistance; provides that the program shall include testing of the person's blood or urine only when officials have probable cause to believe that an adult person covered by the screening program is using a controlled substance; provides that a person is ineligible for public assistance if they do not participate in the program or test positive for certain drugs.

STATUS:
 01/06/2009 INTRODUCED.
 01/06/2009 Filed as Bill Request Number: 42.
 01/07/2009 To HOUSE Committee on HEALTH AND WELFARE.

NOTES: <http://www.lrc.ky.gov/record/09RS/HB15.htm>

KY H 73 SPONSOR: Mary Lou Marzian (D)
TITLE: Art Therapy

DISPOSITION: Pending
LOCATION: House Licensing and Occupations Committee
SUMMARY:

Requires that disciplinary proceedings against licensed art therapists or applicants for licensing be conducted in accordance with current laws; permits aggrieved parties to file suit in Franklin Circuit Court; prohibits anyone from engaging in the practice of art therapy unless he or she is duly licensed; exempts persons engaged in the practice of employment, job been revoked to petition the board for reinstatement if five years has elapsed.

STATUS:
03/04/09 2nd reading, to Rules
03/03/09 Reported favorably, 1st reading, to Consent Calendar with
02/23/2009 Committee Substitute
02/12/2009
To Licensing Occupations & Administrative Regulations (S)
Posted for passage in the Regular Orders of the Day for
Friday, February 13, 2009
02/11/2009 2nd reading, to Rules
02/06/2009 Reported favorably, 1st reading, to Calendar with
Committee Substitute
Posted in committee
01/06/2009 INTRODUCED.
01/06/2009 Filed as Bill Request Number: 326.
01/07/2009 To HOUSE Committee on LICENSING AND
OCCUPATIONS.
NOTES: <http://www.lrc.ky.gov/record/09RS/HB73.htm>

KY H 78 SPONSOR: Ted Edmonds (D)
TITLE: Drugs
DISPOSITION: Pending
LOCATION: House Banking and Insurance Committee
SUMMARY:

Requires insurers to cover urine drug screening or blood tests ordered by a health care practitioner.

STATUS:
01/06/2009 INTRODUCED.

01/06/2009 Filed as Bill Request Number: 62.
01/07/2009 To HOUSE Committee on BANKING AND INSURANCE.
NOTES: <http://www.lrc.ky.gov/record/09RS/HB78.htm>

Commentary:

HM - analysis performed by Ingenix Consulting states that the bill will not increase the admin costs of insurers nor increase costs

Commentary001:

same as '08 HB 762 - posted in House B&I

Type: HM

KY H 111 SPONSOR: John Tilley (D)
TITLE: Healthy Lifestyles
DISPOSITION: Pending
LOCATION: House Appropriations & Revenue Committee

SUMMARY:

Relates to healthy lifestyles; authorizes tax credits for employers that establish wellness programs; defines such programs to include policies which promote a healthy lifestyle, including those related to smoking, obesity, stress management, physical fitness, substance abuse, and other health issues; provides for the development of an Employer Wellness Project Model; authorizes the Secretary of the Personnel Cabinet to collaborate with the YMCA to establish a state employee fitness program.

STATUS:

01/06/2009 INTRODUCED.
01/06/2009 Filed as Bill Request Number: 412.
01/07/2009 To HOUSE Committee on APPROPRIATIONS AND REVENUE.

NOTES: <http://www.lrc.ky.gov/record/09RS/HB111.htm>

Commentary:

same as '08 HB 739 - assigned to House A&R

Other Related

KY H 190 SPONSOR: Scott Brinkman (R)
TITLE: Regarding Autism Coverage
DISPOSITION: Pending
LOCATION: HOUSE
SUMMARY:

Relates to autism terminology and insurance coverage for autism.

STATUS:

03/03/09 Posting waived
 03/02/2009 Floor amendment (1) filed
 02/03/2009 INTRODUCED.
 02/04/2009 To Banking & Insurance

NOTES:

<http://www.lrc.ky.gov/record/09RS/HB190.htm>

KY H 51

SPONSOR: Bill Farmer (R)
TITLE: Sales and Use Taxes
DISPOSITION: Pending
LOCATION: House Appropriations & Revenue Committee
SUMMARY:

(HB 51)Expands the sales and use tax base to include certain services and rental of commercial real estate, repeal certain exemptions, and lower the tax rate; makes the individual income tax, corporation income tax, and the limited liability entity tax effective for taxable years beginning before January 1, 2010.

STATUS:

01/06/2009 INTRODUCED.
 01/06/2009 Filed as Bill Request Number: 90.
 01/07/2009 To HOUSE Committee on APPROPRIATIONS AND REVENUE.

NOTES:

<http://www.lrc.ky.gov/record/09RS/HB51.htm>

KY H 68

SPONSOR: David Watkins (D)
TITLE: Cigarette Surtax
DISPOSITION: Pending
LOCATION: House Appropriations & Revenue Committee
SUMMARY:

Creates additional cigarette surtax; increases the tax rates for other tobacco products and snuff; imposes a floor stock tax.

STATUS:

01/06/2009 INTRODUCED.
 01/06/2009 Filed as Bill Request Number: 189.
 01/07/2009 To HOUSE Committee on APPROPRIATIONS AND REVENUE.

NOTES:

<http://www.lrc.ky.gov/record/09RS/HB68.htm>

Commentary:

same as '08 HB 443 - assigned to House A&R

- KY H 109 SPONSOR:** Addia Wuchner (R)
TITLE: Independent District Boards Of Health
DISPOSITION: Pending
LOCATION: House Health and Welfare Committee
SUMMARY:
 Revises the composition of Independent District Boards of Health; provides that such boards may have additional members, approved by the fiscal court, including registered nurses, veterinarians, dentists, physicians, and pharmacists; revises the population criteria for county appointment of a member to such a board.
STATUS:
 01/06/2009 INTRODUCED.
 01/06/2009 Filed as Bill Request Number: 348.
 01/07/2009 To HOUSE Committee on HEALTH AND WELFARE.
NOTES: <http://www.lrc.ky.gov/record/09RS/HB109.htm>
- KY H 123 SPONSOR:** Mary Lou Marzian (D)
TITLE: Cigarette Taxes
DISPOSITION: Pending
LOCATION: House Appropriations & Revenue Committee
SUMMARY:
 Relates to cigarette taxes and makes an appropriation thereof; levies a floor stock tax on cigarettes; creates the Commonwealth fund and distributes funds there from.
STATUS:
 01/06/2009 INTRODUCED.
 01/06/2009 Filed as Bill Request Number: 206.
 01/08/2009 To HOUSE Committee on APPROPRIATIONS AND REVENUE.
NOTES: <http://www.lrc.ky.gov/record/09RS/HB123.htm>
Type: AA, LM
- KY H 143 SPONSOR:** Greg Stumbo (D)
TITLE: State Executive Branch Budget
DISPOSITION: Pending
LOCATION: House Appropriations & Revenue Committee
SUMMARY:

Relates to the state/executive branch budget. Declares that the 2009 General Assembly, in an effort to address the projected revenue shortfall, shall modify the current state/executive branch budget.

STATUS:

02/12/2009 Posted for passage in the Regular Orders of the Day for Friday, February 13, 2009
Reported favorably, 2nd reading, to Rules

02/06/2009 Posted in committee; taken from committee; 1st reading, to Calendar

02/09/2009 2nd reading, to Rules; returned to Appropriations & Revenue (H); posting waived

02/10/2009 Reported favorably, to Rules with Committee Substitute, committee amendment (1-title) ; posted for passage in the Regular Orders of the Day for Wednesday, February 11, 2009

02/11/2009 Floor amendment (1) filed to Committee substitute ; 3rd reading, passed 77-23 with Committee Substitute, committee amendment (1-title) ; received in Senate; to Appropriations & Revenue (S); taken from committee; returned to Appropriations & Revenue (S); 1st reading

01/08/2009 INTRODUCED.

01/09/2009 To HOUSE Committee on APPROPRIATIONS AND REVENUE.

NOTES:

<http://www.lrc.ky.gov/record/09RS/HB143.htm>

KY H 144 SPONSOR: Greg Stumbo (D)
TITLE: Tobacco Taxation
DISPOSITION: Pending
LOCATION: House Appropriations & Revenue Committee
SUMMARY:

Relates to tobacco taxation.

STATUS:

02/13/2009 Signed by Governor
Delivered to Governor
Enrolled, signed by each presiding officer
Received in House
3rd reading, passed 24-12-1

Floor amendment (1) withdrawn

2/12/2009 floor amendment (1) filed
 posted for passage in the Regular Orders of the Day for
 Friday, February 13, 2009
 reported favorably, 2nd reading, to Rules

02//11/2009 1st reading
 returned to Appropriations & Revenue (S)
 taken from committee
 to Appropriations & Revenue (S)
 received in Senate
 3rd reading, passed 66-34 with Committee Substitute,
 committee amendment (1-title)
 - floor amendments (5) (6) (7) and (8) filed to Committee
 Substitute
 floor amendments (1) (2) (3) and (4) filed to Committee
 Substitute
 posted for passage in the Regular Orders of the Day for
 Wednesday, February 11, 2009
 reported favorably, to Rules with Committee Substitute,
 committee amendment (1-title)

02/10/2009 posting waived
 recommitted to Appropriations & Revenue (H)
 2nd reading, to Rules
 1st reading, to Calendar
 taken from committee

02/09/2009

01/08/2009 INTRODUCED.

01/09/2009 To HOUSE Committee on APPROPRIATIONS AND
 REVENUE.

NOTES: <http://www.lrc.ky.gov/record/09RS/HB144.htm>

KY H 151 SPONSOR: Greg Stumbo (D)
TITLE: Parking Placards
DISPOSITION: Pending
LOCATION: HOUSE
SUMMARY:

Relates to temporary accessible parking placards; allows pregnant women and
 parents of children under one year of age to receive temporary accessible parking
 placards; sets forth requirements and term of placards; set out procedures for use;

allows the Transportation Cabinet to promulgate administrative regulations to carry out the provisions of the section.

STATUS:

02/11/2009 recommitted to Transportation (H)
 posted for passage in the Regular Orders of the Day for
 Thursday, February 12, 2009
 2nd reading, to Rules
 reported favorably, 1st reading, to Calendar with Committee
 02/10/2009 Substitute
 02/04/2009 posted in committee
 02/03/2009 to Transportation (H)

01/08/2009 INTRODUCED.

NOTES: <http://www.lrc.ky.gov/record/09RS/HB151.htm>

Type: LM

KY H 167 SPONSOR: Stan Lee S (R)
TITLE: Workers Compensation Subrogation
DISPOSITION: Pending
LOCATION: HOUSE

SUMMARY:

Relates to workers' compensation subrogation; adds medical expenses to subrogation recovery and limit subrogation recovery to damages minus legal fees attributable to benefits which duplicate workers' compensation benefits.

STATUS:

02/03/2009 to Labor & Industry (H)

01/09/2009 INTRODUCED.

NOTES: <http://www.lrc.ky.gov/record/09RS/HB167.htm>

KY H 280 SPONSOR: Mary Lou Marzian (D)
TITLE: Regarding Patients Rights
DISPOSITION: Pending
LOCATION: HOUSE

SUMMARY:

Relates to patients rights; anyone over 18 can designate any person in writing to have access to their medical records regardless of blood or family connection.

STATUS:

03/04/09 Received in Senate

03/03/09 Mar 03 3rd reading, passed 93-7 with Committee Substitute
 02/27/2009 Posted for passage in the Consent Orders of the Day for
 Tuesday, March 3, 2009
 02/27/2009 2nd reading, to Rules
 02/26/2009 Reported favorably, 1st reading, to Consent Calendar with
 02/23/2009 Committee Substitute
 Health 7 Welfare (H)
 02/05/2009 INTRODUCED.
NOTES: <http://www.lrc.ky.gov/record/09RS/HB280.htm>

Senate Bills

Home Health Related

KY S 22 **SPONSOR:** Julie Denton (R)
TITLE: Personal Services
DISPOSITION: Pending
LOCATION: Senate Health and Welfare Committee
SUMMARY:

Relates to personal services; requires existing personal services agencies to file an application for certification; requires the secretary of the Cabinet for Health and Family Services to promulgate administrative regulations; imposes a fine for a personal service agency that provides services without proper certification.

STATUS:

03/05/09 Reported favorably, 1st reading, to Consent Calendar with
 03/05/09 Committee Substitute
 03/03/09 Posting waived retroactively
 03/02/09 To Health & Welfare (H)
 02/27/2009 Received in House
 02/27/2009 3rd reading, passed 35-1 with Committee Substitute
 02/26/2009 Posted for passage in the Regular Orders of the Day for
 02/25/2009 Friday, February 27, 2009
 2nd reading, to Rules
 Reported favorably, 1st reading, to Calendar with Committee
 Substitute
 01/06/2009 INTRODUCED.
 01/06/2009 Filed as Bill Request Number: 210.

01/08/2009 To SENATE Committee on HEALTH AND WELFARE.

NOTES: <http://www.lrc.ky.gov/record/09RS/SB22.htm>

Commentary:

similar to '08 SB 240 - passed out of Sen. H&W to Consent calendar, reassigned to Sen. A&R

Other Health Related

KY S 128 SPONSOR: Perry Clark(D)
TITLE: Adult Abuse Registry
DISPOSITION: Pending
LOCATION: Veterans, Military Affairs, & Public Protection
SUMMARY:

Relates to Creating a new section of KRS Chapter 209 to require the cabinet to establish a registry of persons against whom charges have been substantiated for adult abuse, neglect, or exploitation; require an appeal process for these persons by the cabinet; prohibit a licensed or certified facility from employing a person on the registry.

STATUS:

02/25/2009 2nd reading, to Rules

02/24/2009 Reported favorably, 1st reading, to Calendar

01/11/2009 INTRODUCED.

01/13/2009 Veterans, Military Affairs, & Public Protection (S)

NOTES: <http://www.lrc.ky.gov/record/09RS/SB128.htm>

Commentary:

KY S 6 SPONSOR: Katie Stine (R)
TITLE: Students Physical Activity
DISPOSITION: Pending
LOCATION: Senate Education Committee
SUMMARY:

Requires the Kentucky Department of Education to promulgate an administrative regulation to require all public preschool to eighth grade programs, no later than the 2009-2010 school year, to implement 30 minutes per day or 150 minutes per week of structured moderate-to-vigorous physical activity in a minimum of 10 minute intervals incorporated into the school day; defines acceptable physical activities.

STATUS:

01/06/2009

INTRODUCED.

01/06/2009

Filed as Bill Request Number: 37.

01/08/2009

To SENATE Committee on EDUCATION.

NOTES:

<http://www.lrc.ky.gov/record/09RS/SB6.htm>

KY S 19 SPONSOR: Tom Buford
TITLE: Dialysis Treatment
DISPOSITION: Pending
LOCATION: Senate House and Welfare
SUMMARY:

Insurance Companies cannot require clients who obtain dialysis treatment to travel more than 30 miles for service as part of requirement for coverage

STATUS:

01/06/2009 INTRODUCED.

01/08/2009 To HOUSE Committee on Health and Welfare

NOTES: <http://www.lrc.ky.gov/record/09RS/SB19.htm>

Commentary:

KY S 30 SPONSOR: John Schickel (R)
TITLE: Public Records
DISPOSITION: Pending
LOCATION: Senate Judiciary Committee

SUMMARY:

Specifies that tapes of communications with a 911 center or emergency dispatch center are not public records; provides for court-ordered release of transcript of conversation; provides for release copies of the actual tapes with permission from persons making the call and persons referenced in the call.

STATUS:

02/23/2009 Judiciary (H)
 02/13/2009 Received in House
 01/07/2009 INTRODUCED.
 01/08/2009 To Banking and Insurance
 02/05/2009 Reported favorably, 1st reading, to calendar with committee substitute
 02/06/2009 2nd reading to rules
 02/10/2009 Floor amendment (2) filed to committee substitute
 02/11/2009 Posted for passage in the regular orders of the day for 2/12

NOTES:

<http://www.lrc.ky.gov/record/09RS/SB30.htm>

KY S 40

SPONSOR:

Buford (R)

TITLE:

Health Benefit Plan Reimbursement To Practitioners

DISPOSITION:

Pending

LOCATION:

SENATE

SUMMARY:

Relates to health benefit plan reimbursement to practitioners of the healing arts; Creates new sections of Subtitles 17A, 17B and 17C of KRS Chapter 304 to define "insurer" "doctor of chiropractic" "licensed practitioner of the healing arts" "nonroutine office visit," and "routine office visit"; requires that individual procedures performed by a doctor of chiropractic be treated as separate and distinct treatments and not be combined into payments.

STATUS:

03/03/09 Reported favorably, 1st reading, to Calendar
 02/03/09 To Banking & Insurance (S)
 01/08/2009 INTRODUCED.

NOTES:

<http://www.lrc.ky.gov/record/09RS/SB40.htm>

Commentary:

similar to '08 HB 148 - passed House 80-7-1, passed out of Sen. H&W, FAs filed similar to '08 SB 59 - assigned to Sen. B&I; reassigned to Sen. A&R

Type:

HM

