

## 2010 General Assembly

### Health Care Bills of Interest

#### *Through the Filing Deadline*

This table shows selected health-related bills filed in the 2010 General Assembly. It also includes the Executive Branch budget bill, [HB 290](#).

**How to use:** To view the Legislative Research Commission summary of a bill and its status, click the bill number. To view the text of the bill and of amendments, click the links in the summary.

**Find more bills:** For a complete list of bills filed in the 2010 General Assembly, see the legislature's own web site: [www.lrc.ky.gov](http://www.lrc.ky.gov).

**For more information:** This chart was compiled by the Kentucky Equal Justice Center. For more information, contact [richseckel@kyequaljustice.org](mailto:richseckel@kyequaljustice.org).

Bill #	Sponsor	Summary
<a href="#">HB 37</a>	Yonts	Allow a person to request a report on their own records generated within the electronic controlled substance reporting database; exception
<a href="#">HB 41</a>	L. Clark	Require agreements between managed care plans and hospitals to be for 3 years or more; provide for notice, appeals, mediation to assure continuity of care
<a href="#">HB 48</a>	Belcher	Deron's Law: allow dismissal for failure to provide supervision of an ICF/MR resident regardless of whether failure was "Intentional"
<a href="#">HB 51</a>	Belcher	Require public middle and high school administrators to disseminate suicide prevention awareness information to all students; more
<a href="#">HB 52</a>	Wuchner	Healthy Kids Act: develop reporting mechanism for schools with grades K-5 on physical activity, aggregate BMI, and wellness program data; more
<a href="#">HB 59</a>	Keene	Beth's bill: provide a tax credit for individuals who donate live organs in the amount of the lesser of actual expenses or \$10,000; details
<a href="#">HB 72</a>	Burch	Kentucky Colon Cancer Screening Program: establish program; permit income-based fees for screenings; appropriate \$1M year; \$2M second year
<a href="#">HB 74</a>	Tilley	Require CHFS to develop employer wellness project model and certification process for employer programs; provide for tax credits for projects
<a href="#">HB 118</a>	Marzian	Allow patient of a health facility 18 years of age or older to

		designate in writing an individual not legally related by marriage or blood to have visitation rights
<a href="#">HB 119</a>	Marzian	Require science-based content and age appropriate and medically accurate standards for human sexuality education, allow a parent to excuse a child; more
<a href="#">HB 120</a>	Napier	Create substance abuse screening program for adult recipients of public assistance, food stamps, and medicaid; deny eligibility for refusal of screen
<a href="#">HB 126</a>	Denham	Insurers: authorize examination of each domestic insurer once every five years, rather than every three years; require actuarial opinion summaries; more
<a href="#">HB 136</a>	Henderson	Create crime of substance endangerment of child prior to birth when use of alcohol or controlled substances results in serious physical injury; more
<a href="#">HB 150</a>	Richards	Require the Personnel Cabinet to establish a pilot program to improve health and wellness outcomes of state workers; reduce monthly costs for participation
<a href="#">HB 155</a>	Rollins	Kentucky Family Trust Program: allow family and friends to place money in trust for care of people with disabilities without affecting eligibility for benefits
<a href="#">HB 156</a>	Rollins	Require long-term care facility to post in a conspicuous place the star quality rating assigned to the facility by CMS Five-Star Quality Rating System
<a href="#">HB 157</a>	Rollins	Establish minimum staffing requirements and prohibit long-term care facilities from admitting new residents if the facility fails to comply; fines; more
<a href="#">HB 159</a>	Greer	Require licensure to practice applied behavior analysis; mandate insurance coverage of diagnosis and treatment of autism spectrum disorders; details
<a href="#">HB 165</a>	Damron	Kentucky Access: require Kentucky residency for eligibility, clarify that eligible individuals cannot be eligible for other group health coverage; more
<a href="#">HB 179</a>	Marzian	Nursing licensure housekeeping bill: change Advanced Registered Nurse Practitioner to Advanced Practice Registered Nurse; more
<a href="#">HB 193</a>	Burch	Supports for community living: require by reg an annual cost of living increase for providers of supports for community living services; more
<a href="#">HB 198</a>	Stevens	Permit income tax refund check-off for multiple sclerosis; establish the multiple sclerosis research and education trust fund
<a href="#">HB 208</a>	McKee	"Good Samaritan" apply the law to all persons rendering care without remuneration, rather than to named persons
<a href="#">HB 243</a>	Miller	Require KDE to develop guidelines for training in suicide prevention; award professional development credit to staff who

		participate
<a href="#">HB 246</a>	Flood	Menu labeling: require chain restaurants with 20 or more locations in U.S. to provide a calorie content disclosure statement on menus and menu boards
<a href="#">HB 250</a>	Riner	Prohibit personal service providers from accepting gifts or gratuities of \$100 or more if services are provided in home of a disabled senior citizen
<a href="#">HB 254</a>	Fischer	Provide that no individual or business in KY shall be required to purchase health insurance coverage; allow out of state companies to offer health insurance; more
<a href="#">HB 256</a>	Hall	Board of Dentistry housekeeping bill: set conditions for dental hygienist to practice independently in volunteer community health setting; much more
<a href="#">HB 257</a>	Burch	Permit CHFS, subject to available funding, to contract with an agency to operate a residential option for substance abuse treatment for adults
<a href="#">HB 258</a>	Burch	Create Commission on Public Health; establish membership and duties, including charge that all health departments achieve national accreditation
<a href="#">HB 259</a>	Burch	Establish the Kentucky Hemophilia and Blood Disorder Program in the Department for Public Health; details
<a href="#">HB 263</a>	Burch	Create Opioid Drug Overdose Prevention Program in Department for Public Health to include projects to encourage 911 calls when overdoses are observed
<a href="#">HB 266</a>	Edmunds	Require patient filling an Rx for a Schedule II-V controlled substance to use Social Security number, driver's license number, or number on an ID card
<a href="#">HB 285</a>	Wuchner	Pediatric abusive head trauma: require training in prevention and recognition for various parties, including guardians ad litem, foster parents; more
<a href="#">HB 290</a>	Rand	The Executive Branch Budget
<a href="#">HB 307</a>	Moore	Prohibit General Assembly from requiring participation in any health care system or plan or imposing a fine regarding participation; details
<a href="#">HB 350</a>	Watkins	Remove requirements that various professionals complete HIV/AIDS education and training; declare that training is now incorporated in health education
<a href="#">HB 358</a>	Marzian	Physicians assistant amendments: permit PA to prescribe legend drugs and Schedule II-V controlled substances; more
<a href="#">HB 373</a>	Floyd	Require an ultrasound prior to an abortion; specify how the phrase "individual, private setting" shall be interpreted in informed consent situations

<a href="#">HB 375</a>	Watkins	Delete requirement for a premium payment for KCHIP; permit Cabinet to establish premiums by administrative regulation
<a href="#">HB 400</a>	Deweese	Authorize the Office of Insurance to promulgate regulations to ensure that physician profiling programs include specified requirements; penalties
<a href="#">HB 405</a>	Palumbo	Designate September 26 of each year as Mesothelioma Awareness Day
<a href="#">HB 411</a>	Palumbo	Create income tax refund check off for Alzheimer's research; create Alzheimer's research and education trust fund; details
<a href="#">HB 415</a>	Riner	Require personal services agencies to have a policy that addresses acceptance of gifts, gratuities, and loans from clients to agencies and their employees
<a href="#">HB 417</a>	Henley	Create two pilot substance abuse screening programs for recipients of public assistance
<a href="#">HB 425</a>	Sinnette	Provide that contracts between limited health service benefit plans and dentists may not set fees unless the fees pertain to covered services under the plan
<a href="#">HB 426</a>	Stone	Allow pharmacists to give immunizations to children ages 14 to 17 years with parental consent
<a href="#">HB 436</a>	Burch	Establish School Nurse Pilot Program to employ licensed nurses in public elementary schools; details; appropriate \$3M
<a href="#">HB 443</a>	Ford	Prohibit sale of energy drinks to children under 18
<a href="#">HB 444</a>	Westrom	Assisted living: expand definition of "assistance with self-administration of medication;" require certification of assisted-living community; more
<a href="#">HB 459</a>	Hoover	Require Medicaid managed care partnerships to establish enhanced Primary Care Case Management Program to replace KenPAC program; details
<a href="#">HB 460</a>	Burch	Require coverage of oral anti-cancer medication on the same basis as intravenously administered or injected cancer medications
<a href="#">HB 468</a>	Butler	Recommend KDE create procedures for situations in which child with chronic health condition has a health episode that necessitates leaving classroom
<a href="#">HB 469</a>	Jenkins	Name the existing advisory council relating to the Kentucky Children's Health Insurance Program as the children's health advisory council; details
<a href="#">HB 476</a>	Watkins	Personal care homes: permit the cabinet to submit a waiver to

		allow Medicaid reimbursement; require standards for certification; more
<a href="#">HB 488</a>	Brinkman	Clarify permitted use of interpretations of psychological testing by clinical social workers, marriage and family therapists; more
<a href="#">HB 490</a>	Palumbo	Create KY Board of Licensed Diabetes Educators; establish requirements for licensure and set fees
<a href="#">HB 495</a>	Floyd	Specify how the phrase “individual, private setting” shall be interpreted in informed consent situations re medical procedures; require face to face meeting
<a href="#">HB 518</a>	J. Lee	DSH changes: require one of three pools to be percent allowable by federal law up to 19.08% for private psychiatric and state mental hospitals
<a href="#">HB 520</a>	Palumbo	Require CHFS to establish registry of persons found to have abused, neglected, or exploited an adult; prohibit health facility from hiring person on registry
<a href="#">HB 523</a>	Belcher	Kids fitness: require fitness test at start and end of each school year, including BMI; require physical activity, with time tiered by grade levels
<a href="#">HB 532</a>	Jenkins	Require CHFS to establish registry of persons found to have abused, neglected, or exploited an adult; prohibit health facility from hiring person on registry
<a href="#">HB 537</a>	Stevens	Require that all health benefit plans provide coverage for convergence insufficiency, oculomotor dysfunction pursuit, and strabismus intermittent
<a href="#">HB 543</a>	Jenkins	Safe Pharmaceutical Disposal Act: prohibit disposal, flushing, or emptying into public wastewater or septic systems of unused medications in solid form
<a href="#">HB 549</a>	Fischer	Constitutional amendment: establish that no right to abortion exists and that the General Assembly has the authority to protect human life
<a href="#">HB 556</a>	Marzian	Advanced registered nurse practitioner: expand scope of practice; include ARNP in definition of home health aide who assists with medication; details
<a href="#">HB 558</a>	Brinkman	Amend various statutes to change “mentally retarded” to “intellectually disabled” and to refer to individuals with an intellectual disability
<a href="#">HB 570</a>	Steele	Prohibit sale of products containing dextromethorphan as the only active ingredient to individuals younger than 18; more
<a href="#">HB 573</a>	Floyd	Specify how the phrase “individual, private setting” shall be interpreted in informed consent situations
<a href="#">HB 576</a>	Mills	Create the compulsive gamblers awareness and treatment fund; details

<a href="#">HB 585</a>	DeWeese	Constitutional amendment: declare that a law or rule shall not compel any person, employer or provider to participate in any health care system; details
<a href="#">SB 18</a>	Denton	Prohibit health benefit plan from excluding coverage for routine patient costs incurred in the course of a cancer clinical trial if otherwise covered
<a href="#">SB 19</a>	Schickel	Waive the application fee for pharmacy technicians who serve on a voluntary basis with a pharmacy operated by a charitable organization
<a href="#">SB 38</a>	Tori	Require an ultrasound prior to an abortion; specify how the phrase “individual, private setting” shall be interpreted in informed consent situations
<a href="#">SB 65</a>	Seum	Require principals, guidance counselors and teachers to complete a minimum of two hours of instruction in suicide prevention each school year
<a href="#">SB 75</a>	Tapp	Authorize advanced registered nurse practitioner prescribing controlled substances to prescribe without a collaborative agreement if requirements are met
<a href="#">SB 86</a>	Harper Angel	Menu labeling: require chain restaurants with 20 or more locations in U.S. to provide a calorie content disclosure statement on menus and menu boards
<a href="#">SB 99</a>	Buford	Require pharmacies to have quality assurance programs that document medical errors attributable to the pharmacy or its personnel; more
<a href="#">SB 112</a>	Clark	Permit CHFS, subject to available funding, to contract with an agency to operate a residential option for substance abuse treatment for adults
<a href="#">SB 127</a>	Winters	Require the six comprehensive universities to provide advanced practice doctoral programs in nursing upon approval of the Council on Postsecondary Education
<a href="#">SB 140</a>	Stein	Require science-based content and age appropriate and medically accurate standards for human sexuality education, allow a parent to excuse a child; more
<a href="#">SB 143</a>	Boswell	Personal care homes: permit the cabinet to submit a waiver to allow Medicaid reimbursement; require standards for certification; more
<a href="#">SB 154</a>	Harper Angel	Require insurers issuing large group health benefit plans in the state to provide specified coverage for acquired brain injuries
<a href="#">SB 155</a>	Schickel	Health insurance: prohibit use of genetic information; require disclosure of criteria for medical necessity determinations for mental health; more
<a href="#">SB 157</a>	Buford	Require that specified health benefit plans provide reimbursement for any service within the lawful scope of practice of a licensed doctor of chiropractic

<a href="#">SB 161</a>	Shaughnessy	Medicaid nonprofit HMO's: return accumulated surplus, above the risk-based capital requirements, to Cabinet for Health and Family Services; details
<a href="#">SB 166</a>	Denton	Develop a pilot program for the safe disposal of unused or partially used controlled substances by an ultimate user through delivery to a designated facility
<a href="#">SB 173</a>	P. Clark	Establish registry of persons found to have abused, neglected, or exploited an adult; prohibit certified facility from employing person on the registry
<a href="#">SB 180</a>	Givens	Enact the Revised Uniform Anatomical Gift Act and make consistent the provisions relating to organ donation across the states; details
<a href="#">SB 187</a>	Shaughnessy	Require director of the Office of Insurance to develop uniform application forms for individual, small group and large group health benefit plans
<a href="#">SB 192</a>	Shaughnessy	Require all health benefit plans to provide coverage for prescribed treatment of diabetic peripheral neuropathy and retinopathy
<a href="#">SB 200</a>	Tori	Require narcotic treatment programs to submit a letter of intent at least 90 days prior to submitting an application for licensure; details
<a href="#">SR 9</a>	Harper Angel	Urge the Governor to include funding for Medicaid-approved smoking cessation programs in his 2010-2012 Executive Branch budget proposal
<a href="#">SJ 114</a>	Forgy Kerr	Recognize link between early and optimal oral health care and education and support efforts to improve children's oral health through school-based efforts
<a href="#">SC 192</a>	Williams	Create legislative task force to study cost containment strategies for Medicaid; require a report by 12/31/10; declare emergency
<a href="#">SC 197</a>	Stine	Hire consultant to conduct a performance audit of the Kentucky Medicaid program; report initial findings by 12/1/10 and final recommendations by 3/1/11