

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2373

As Amended by House Committee on Health
and Human Services

Brief*

HB 2373, as amended, would require the Kansas Department for Aging and Disability Services (KDADS) to establish and implement a mobile crisis services program (Program) for individuals with intellectual or developmental disability (I/DD). The bill would require adequate resources to provide the crisis services, statewide coordination efforts with information, consultation, and training provided by multiple entities; collection and reporting of data and demographic information; and adoption of rules and regulations to implement and administer the Program not later than July 1, 2022. The bill would require the hiring of a Program Monitor and specify a funding mechanism for the Program. The bill would require KDADS, to the extent possible, to prioritize contracts with service providers in accordance with the Developmental Disabilities Reform Act (Act).

Definitions

For purposes of the Program, the bill would define “developmental disability” and “intellectual disability” according to the Act.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Implementation and Objectives of Mobile Crisis Services Program

The bill would require KDADS to establish and implement a Program for individuals with I/DD with the following objectives for these individuals:

- Mobilizing their own strengths;
- Using community resources;
- Improving their ability to function and live life in safety, with dignity and all possible satisfaction, enjoyment, and comfort;
- Preventing unnecessary or inappropriate institutional placement;
- Safeguarding rights and resources and maintaining physical and mental health;
- Preventing injury to them or others;
- Recognizing and preserving the rights of self-determination, autonomy, and self-care; and
- Providing services and interventions in the least restrictive environment feasible.

Resources and Services

The bill would require the Program to have adequate resources to provide direct services, training, data management, coordination, telehealth, and consultation necessary to intervene in each I/DD crisis. The bill would specify the Program could provide responses including, but not limited to, assessment, consultation, planning, training, and support before and after a crisis for individuals with I/DD and their family and friends; staff support to prevent or respond to a crisis at the site of the crisis; necessary access

to mental health providers, psychiatric services, and mental health after-care services; and appropriate professional crisis services.

Statewide Coordination

The bill would specify statewide coordination efforts would be required to include regular and ongoing information, consultation, and training on crisis prevention and intervention and respite services. Information, consultation, and training would be provided by community developmental disability organizations, community service providers, case managers, the KDADS staff, individuals with I/DD, and such individuals' families, friends, and service providers.

The bill would require the collection and reporting of aggregate data from each managed care organization participating in KanCare and demographics of individuals with I/DD accessing or seeking access to crisis services, including age and location.

Program Monitor

The bill would require KDADS employ one full-time equivalent (FTE), unclassified position to monitor the implementation of the Program.

Funding Mechanism

The bill would direct the Program be funded by expenditures from the 988 Suicide Prevention and Mental Health Crisis Hotline Fund established by 2021 HB 2281 or any other special revenue fund established by similar legislation passed by the Legislature and enacted into law during the 2021 Regular Legislative Session for the remittance of fees charged for the establishment of a 988 Suicide Prevention and Mental Health Crisis Hotline. The bill would prohibit the use of expenditures from such fund for

costs related to the administration of the program, including the FTE program monitor position. If no such legislation is enacted, the bill would require the provision of the mobile crisis services be funded by expenditures from an appropriate State General Fund (SGF) account or KDADS special revenue fund designated by the Secretary for Aging and Disability Services.

Rules and Regulations

The bill would require KDADS to adopt rules and regulations necessary to implement and administer the Program not later than July 1, 2022.

Prioritization of Service Provider Contracts

The bill would require, to the extent possible, KDADS prioritize contracts with service providers who administer services under the Act.

Background

The bill was introduced by the House Committee on Health and Human Services at the request of a representative of InterHab.

House Committee on Health and Human Services

In the House Committee hearing, **proponent** testimony was provided by representatives of Big Lakes Developmental Center, Inc., OCK, Inc., and Starkey, Inc. The proponents generally stated a long-term solution is needed to support individuals with I/DD and complex needs and to support the staff providing the services. The proponents noted, while individuals with complex needs make up a small portion of the population they serve, they consume a disproportionately large amount of the available resources. The proponents

stated staffing, training, funding, and a crisis response program that will respond quickly to de-escalate crisis situations and provide an alternative to incarceration or hospital placement. Written-only **proponent** testimony was provided by representatives of the Association of Community Mental Health Centers of Kansas, Inc., InterHab, and Johnson County Developmental Supports.

No neutral or **opponent** testimony was provided.

The House Committee amended the bill to require one unclassified FTE position to monitor and implement the Program and to establish a funding mechanism for the Program.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, KDADS estimates the fiscal effect of the bill on contractual service expenditures for implementing the Program would be between \$3.0 million and \$5.0 million for the SGF for FY 2022. KDADS based this estimate on the agency's review of Georgia's Mobile Crisis Program for I/DD model. KDADS estimates the agency would also need \$93,000 for salary, fringe benefits, and other operating expenses for 1.0 FTE position to monitor the program.

Any fiscal effect associated with the bill is not reflected in *The FY 2022 Governor's Budget Report*.

Health; behavioral health; mobile crisis services program; individuals with intellectual and developmental disability