



**KANSAS BAR
ASSOCIATION**

TO: The Honorable Kellie Warren
And Members of the Senate Judiciary Committee

FROM: Joseph Molina
On Behalf of the Kansas Bar Association

RE: HB 2126 – Providing immunity from civil liability claims for adult care facilities

DATE: March 16, 2021

Chairman Warren and Members of the Senate Judiciary Committee:

My name is Joseph Molina and I appear on behalf of the Kansas Bar Association. The KBA appreciates the opportunity to participate in the hearing for HB 2126, **OPPOSING** immunity from civil liability for adult care facilities.

The KBA has a long-standing policy supporting access to justice, which is the ability to bring grievances before an impartial arbiter to resolve complaints based on facts and the law. Access to justice is perhaps the most essential aspect of the American judicial system. It is with this understanding that the KBA opposes increased immunity protection for adult care facilities as described in HB 2126.

Individuals harmed, even during a pandemic, should be afforded the opportunity to have their claim reviewed by a court of law. Limiting these rights through immunity provisions erodes the public's confidence in the judicial system. Immunity provisions of this type will leave injured individuals with no other recourse.

Let us be clear, we are sympathetic to the continuing crisis and the individuals and businesses affected by COVID-19. But the expansion of immunity, as amended into HB 2126, would be damaging to the legal rights of those who believe they have been injured and their families.

For these reasons, the Kansas Bar Association **OPPOSES** HB 2126 – Providing immunity from civil liability claims for adult care facilities. Thank you for your time and attention. I am happy to stand for questions when appropriate.

About the Kansas Bar Association:

The Kansas Bar Association (KBA) was founded in 1882 as a voluntary association for dedicated legal professionals. Its more than 7,200 members include lawyers, judges, law students, and paralegals.
www.ksbar.org