

## MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Stephen Morris at 10:40 a.m. on March 5, 2004, in Room 123-S of the Capitol.

All members were present except:

Senator David Adkins- excused  
Senator David Kerr- excused

Committee staff present:

Alan Conroy, Director, Kansas Legislative Research Department  
J. G. Scott, Chief Fiscal Analyst, Kansas Legislative Research Department  
Michele Alishahi, Kansas Legislative Research Department  
Melissa Calderwood, Kansas Legislative Research Department  
Amy Deckard, Kansas Legislative Research Department  
Susan Kannarr, Kansas Legislative Research Department  
Norman Furse, Revisor of Statutes  
Jill Wolters, Senior Assistant, Revisor of Statutes  
Judy Bromich, Administrative Analyst  
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Senator Anthony Hensley  
Dr. Rosemary Chapin, Director, Office of Aging and Long-Term Care, University of Kansas  
School of Social Welfare  
David Wilson, Member of the AARP Kansas Executive Council  
Bryce Miller, Treasurer, Older Adult Consumer Mental Health Alliance  
Debra Zehr, Vice President, Kansas Association of Homes and Services for the Aging  
Cindy Luxem, Kansas Health Care Association  
Pamela Johnson-Betts, Secretary, Kansas Department on Aging  
Becca Vaughn, Topeka Independent Living Resource Center, Inc.  
Dr. William Thomas, Founder, The Eden Alternative  
Deanne Bacco, Executive Director, Kansas Advocates for Better Care  
Jim Beckwith, Executive Director, North East Kansas Area Agency on Aging

Others attending:

See Attached List.

### **Bill Introductions**

Senator Helgerson moved, with a second by Senator Downey, to introduce a bill concerning gaming; relating to the use of monies therefrom (3rs2042). Motion carried on a voice vote.

Senator Downey moved, with a second by Senator Jordan, to introduce a bill concerning out-district tuition for Washburn University and community colleges (3rs2046). Motion carried on a voice vote.

Chairman Morris referred the following bill to the KPERS Issues Subcommittee:

### **SB 554--Normal retirement date for KPERS of 95 points**

The Chairman opened the public hearing on:

### **SB 459--Unified aging budget for state agencies**

Staff briefed the committee on the bill.

Chairman Morris welcomed the following conferees:

## CONTINUATION SHEET

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Senator Anthony Hensley testified in support of **SB 459**. Senator Hensley explained that he decided to introduce because he felt that seniors deserve a similar type of treatment in the budgetary process as do the children of Kansas. He mentioned that the bill unifies the aging budget for state agencies so priorities can be seen. Senator Hensley noted that this idea was first brought to his attention by the AARP. (No written testimony was submitted.)

Dr. Rosemary Chapin, Director, Office of Aging and Long-Term Care, University of Kansas School of Social Welfare, explained that she was not testifying on behalf of the University of Kansas. Dr. Chapin mentioned that the University of Kansas has no formal position on **SB 459** and she is testifying because she is knowledgeable about these public policy issues. She noted that for the past twelve years she has been doing research on the Kansas long term care system (Attachment 1). Dr. Chapin collaborated with AARP to craft a paper on next steps for community-based long-term care for older adults in Kansas (Attachment 2). She addressed the following topics:

- Long-term care planning and budgeting for older adults lacks coordination
- Kansas needs to develop a unified budget that tracks consumers across service settings
- A unified aging budget can help to build a more balanced system that targets services efficiently and appropriately, within the available resources.

David Wilson, member, AARP Executive Council, testified in support of **SB 459** (Attachment 3). Mr. Wilson explained that the purpose of **SB 459** is not to search for wrongdoing but to serve as a starting point for a collaborative effort toward the betterment of support and services for seniors in Kansas. He emphasized that AARP Kansas drafted the bill because they believed that the lack of long-term care planning and budgeting coordination is a barrier to building community capacity.

Bryce Miller, Treasurer, Older Adult Consumer Mental Health Alliance, testified in support of **SB 459** (Attachment 4). Mr. Miller explained that the Kansas mental health system (public and private) currently under serves the older adult population that have a mental illness. He noted that the system is in no way preparing for the “elder boom” that will hit in force beginning in 2011. Mr. Miller listed several recommendations for legislative action in his written testimony.

Debra Zehr, Vice President, Kansas Association of Homes and Services for the Aging, spoke in support of **SB 459** (Attachment 5). Ms. Zehr mentioned that unified reporting would also reduce confusion and prompt more interagency communication and, hopefully, cooperation in meeting the needs of aging Kansans.

Cindy Luxem, Kansas Health Care Association, testified in support of **SB 459**. Ms. Luxem noted that KHCA believes that a coordinated system for long-term care is necessary to meet the needs of seniors across the state (Attachment 6).

Jim Beckwith, Executive Director, North East Kansas Area Agency on Aging, testified in support of **SB 459** (Attachment 7). Mr. Beckwith explained that on the positive side, such action should give legislators and those in the field of aging a more complete picture of how seniors are being served in Kansas. He noted that on the negative side, it may discover out how poorly we are really doing.

Pamela Johnson-Betts, Secretary, Kansas Department on Aging, testified as a neutral party regarding **SB 459** (Attachment 8). Secretary Johnson-Betts explained that **SB 459** would require state agencies to identify, through the budget process, all programs that provide services for seniors, their families and care givers. She noted that logistically the bill would have little impact on the Kansas Department on Aging. Secretary Johnson-Betts mentioned that other state agencies and the Division of the Budget, however, will be required to compile and analyze budget information in a new way.

Written testimony was received from the following:

- Becca Vaughn, Topeka Independent Living Resource Center, Inc. (Attachment 9)
- William H. Thomas, Founder, The Eden Alternative (Attachment 10)
- Deanne Bacco, Executive Director, Kansas Advocates for Better Care (Attachment 11)

CONTINUATION SHEET

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There being no further conferees to come before the committee, the Chairman closed the public hearing on **SB 459**.

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2004 and FY 2005 were available to the committee.

**Subcommittee budget report on:**

**Kansas Department on Aging (Attachment 12)**

Subcommittee Chairperson Schodorf reported that the subcommittee on the Kansas Department on Aging concurs with the Governor's recommendation in FY 2004 with a notation and concurs with the Governor's FY 2005 recommendations with adjustments and notations. Senator Helgerson presented two Minority Reports.

Senator Schodorf moved, with a second by Senator Downey, to amend the subcommittee budget report on the Kansas Department on Aging, FY 2005, Item No. 4, to add that this topic be studied by an interim committee for any possible recommendations to the 2005 Legislature. Motion carried on a voice vote.

Senator Schodorf moved, with a second by Senator Helgerson, to further amend the subcommittee budget report on the Kansas Department on Aging regarding FY 2005, Item No. 4, to add that the 2005 Legislature look at this item before doing it. Motion carried on a voice vote.

Senator Helgerson moved, with a second by Senator Schodorf, to defer consideration of Item No. 3c at Omnibus and request that information be provided to the committee. Motion carried on a voice vote.

Regarding page 1 of the Minority Report, Senator Helgerson moved, with a second by Senator Downey, to move the waiting lists that are projected for FY 2005 to fund it at 85 percent for both the Senior Care Act and the HCBS/FE waiver which at approximately \$3,4 million State General Fund dollars for the HCBS program and \$461,000 for the Senior Care Act which will fund approximately 85 percent of the waiting list. Motion failed. It was noted that the committee understands and is sympathetic and hopes that someday it would not have to agonize over the process of finding dollars to fund these programs.

Senator Salmans suggested adding \$25,000 for the Senior Companion Program. Senator Helgerson moved, with a second by Senator Schodorf, to consider adding the \$25,000 to the Senior Companion Program, related programs and funding levels at Omnibus. Motion carried on a voice vote.

Senator Barone moved, with a second by Senator Helgerson, to request that the Agency report at Omnibus regarding regulations, rate settings for new Nursing Facilities; consider using same base year cost for new Nursing Facilities. Motion carried on a voice vote.

Senator Schodorf moved, with a second by Senator Jackson, to adopt the subcommittee budget report on the Kansas Department on Aging in FY 2004 and FY 2005 as amended. Motion carried on a voice vote.

Copies were distributed by Staff regarding the State General Fund Receipts, July through February, FY 2004 (Attachment 13).

The meeting adjourned at 12:10 p.m. The next meeting is scheduled for March 8, 2004.