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Written Testimony in Opposition to House Bill 2427

**Presented to the House Committee on Federal and State Affairs
By Deputy Attorney General Steve Karrer**

May 16, 2017

Chairman Barker and Members of the Committee:

Thank you for the opportunity to present this written testimony on behalf of Kansas Attorney General Derek Schmidt in opposition to House Bill 2427 in its current form.

For context, I am the deputy attorney general who leads the Fraud and Abuse Litigation Division, in which we focus, among other matters, on detecting, investigating and prosecuting criminal elder abuse. Our division also houses the statutory Abuse, Neglect and Exploitation Unit within the Attorney General's Office. We also work closely with the Medicaid Fraud and Abuse Division of the Attorney General's Office, which has jurisdiction to investigate and prosecute certain cases of patient abuse committed in connection the Medicaid program. Because of our responsibilities, we have a particular interest in the state's efforts to prevent, detect, investigate and prosecute elder abuse and other abuse of vulnerable adults.

Our office first became aware of this proposed legislation only when it was introduced last Friday. Thus, we have not had an opportunity to thoroughly review this extensive bill and its potential implications nor to understand the rationale that is motivating it. However, even on a first cursory review of the bill, we have identified several provisions that raise concerns. Of particular concern is a portion of the bill that would allow a person convicted of specific crimes to be granted a waiver by the KDADS secretary to work in an adult care home after seven years has elapsed since completion of his or her sentence. For example, we question whether it is good public policy to allow for the possibility of a person convicted of homicide, rape or human trafficking *ever* to be employed in an adult care home.

In addition, the provisions related to the criminal history background checks should be carefully reviewed to ensure their compliance with federal standards and the statutes and policies related to the Kansas Criminal Justice Information Systems.

While there may be good provisions in this bill, we would respectfully ask the committee not to move this bill hastily without due deliberation on all the potential implications of these significant policy changes.

Thank you for your consideration.