



To: Chairman Barker, and Members, House Federal and State Affairs Committee  
From: Rachel Monger, Vice President of Government Affairs  
Date: February 8, 2018

### **Testimony in Support of House Bill 2427**

Thank you, Mr. Chairman and Members of the Committee. I am Rachel Monger, Vice President of Government Affairs for LeadingAge Kansas, the state association for faith based and other not-for-profit aging services. We have 150 members across Kansas, which include not-for-profit nursing homes, retirement communities, hospital long-term care units, assisted living, homes plus, housing, low-income housing, home health agencies, home and community based service programs, PACE and Meals on Wheels. Our members serve more than 25,000 elders each day.

We are speaking to the Committee today in support of House Bill 2427, provided that the balloon amendments being proposed by the Kansas Department for Aging and Disability Services are adopted. We opposed HB 2427 last year, because the bill imposed a five year employment ban for misdemeanor convictions of 10 additional non-violent, non-person crimes. An enormous policy and statutory reversal concerning employment bans in long term care.

It has long been set in statute that a permanent ban for adult care home employment is reserved for the most violent crimes and sexual offenses. These are all felonies, with the exception of Mistreatment of a Dependent Adult or Elder Person. There is a second list in the statute, consisting of both person and non-person crimes for which a felony conviction will result in a temporary ban. With the exception of Mistreatment of a Dependent Adult or Elder Person, the state of Kansas has never enacted a long term care employment ban for misdemeanor offenses.

We believe that restricting employment bans to felony convictions is good public policy that should continue in statute. Particularly regarding non-violent drug or theft misdemeanors. We have tried our best to inquire with KDADS about the reasoning behind such a sudden reversal in long-held policy. To date we have received no explanation or justification as to why the newly added crimes in HB 2427 are treated differently.

We recently reached a compromise with KDADS and the Office of the Attorney General on the treatment of misdemeanor convictions in the new crimes added to the bill. The amendment limits the employment ban to felony convictions for the newly added non-violent drug and theft offenses in Paragraph 3 of the bill.

With the adoption of the compromise amendment, we will remove our opposition to HB 2427, and stand in support.