

**Testimony in Support of House Bill 2501
Relating to creation of a
Health Occupations Credentialing Fee Fund**

**Presented to the House Health and Human Services Committee
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January 30, 2018

Chairman Hawkins and members of the committee:

I appreciate the opportunity to testify as a proponent on behalf of House Bill 2501 which amends existing statutes K.S.A. 39-936 and 39-979; K.S.A. 65-3503, K.S.A. 65-5913 and K.S.A. 65-6512 and creates a Health Occupations Credentialing Fee Fund. Fees from the credentialing of particular health care workers will be dedicated to the costs of administering these programs.

Health Occupations Credentialing (HOC) within the Kansas Department for Aging and Disability Services (KDADS) is responsible for the credentialing of all Kansas Certified Nurse Aides, Certified Medication Aides, Home Health Aides, Registered Adult Care Home Operators, Licensed Adult Care Home Administrators, Licensed Dietitians, Licensed Audiologists and Licensed Speech-Language Pathologists.

HOC is also responsible to maintain the Kansas Nurse Aide Registry required by federal regulation CFR 483.156, which contains certification information as well as reflecting employment prohibitions due to findings of Abuse, Neglect and Exploitation and/or results from criminal background checks.

HOC is responsible to administer three criminal background check statutes completing background checks that cover workers in Kansas Department of Health and Environment (KDHE) licensed Home Health Agencies, KDADS licensed Adult Care Homes and KDADS licensed Home and Community Based Service providers. A total of 63,514 criminal background checks were completed by HOC in 2017.

In 2016 the KDHE Home Health Agency statutes were amended adding two additional levels of licensure increasing the number of criminal background checks completed by HOC Staff. Additionally, K.S.A. 39-2009 became law in 2016 and requires Home and Community Based Service providers to complete criminal background checks for all workers.

Prior to the addition of the two previously mentioned laws, a total of 38,033 criminal background checks were completed by HOC. After those laws became effective, that total has now grown to 63,514, almost doubling, criminal background checks completed by HOC. Behavioral Health providers will soon be added increasing that total exponentially. Current staffing will not afford an adequate turn-around time for results to those employers waiting to hire staff to serve those Kansans waiting for behavior health related services.

HOC has responsibility for two boards. The Speech-Language Pathology and Audiology Advisory Board and the Kansas Board of Adult Care Home Administrators which is the licensing authority for Adult Care Home Administrators. Responsibilities include setting minimum licensure requirements, amending statutes and regulations as well as handling of complaints against Administrators which involves two Assistant Attorneys General. HOC staff have much responsibility with each board.

Currently, HOC has eight staff. This is simply not sufficient to complete our work, stay current with criminal record checks and be in compliance with federal requirements. CFR 483.151(b)(iii) requires that HOC complete site visits on a sampling of the certification courses reviewed and approved by staff. With current staffing those site visits cannot be completed.

Our budget office has indicated establishment of a dedicated fee fund will result in an additional \$566,866 which would be available to use to employ additional FTEs to meet current and future work requirements and the balance for modernization and operations.

HB 2501 would allow fees collected for the purpose of licensure and certification to be set aside and utilized for those particular purposes. Therefore, the Kansas Department for Aging and Disability Services respectfully requests this committee pass House Bill 2501. At this time, I welcome the opportunity to answer any of the questions you may have regarding the bill.