

February 13, 2017

The Honorable Steve Alford, Chairperson
House Committee on Children and Seniors
Statehouse, Room 187-N
Topeka, Kansas 66612

Dear Representative Alford:

SUBJECT: Fiscal Note for HB 2232 by House Committee on Children and Seniors

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2232 is respectfully submitted to your committee.

HB 2232 would permit a resident, or a resident's guardian or legal representative, to conduct authorized electronic monitoring in the resident's room of an adult care home. Adult care homes could not discharge or refuse to admit a resident or person based on a request to conduct authorized electronic monitoring. In order to conduct such electronic monitoring, a resident, or resident's guardian would make a request to the adult care home on a form prescribed by the Secretary for Aging and Disability Services. The form would be required to be maintained in the person's resident file at the adult care home and would require the resident or the resident's guardian to release the adult care home from any civil liability for a violation of the resident's privacy rights in connection with the use of the electronic monitoring device. In addition, if the electronic monitoring device is a video surveillance camera, the resident or resident's guardian would be required to choose whether the camera will always be unobstructed or will be obstructed in specified circumstances to protect the dignity of the resident. Also, if the resident resides in a multi-resident room, the resident or resident's guardian would be required to obtain the consent of other residents in the room on a form prescribed for this purpose by the Secretary.

The adult care home would be required to make certain physical accommodations for authorized electronic monitoring and would also be required to post a notice stating that some of the residents may be monitored electronically. The adult care home would require that a resident or resident's guardian post a conspicuous notice at the entrance to the residents room stating that the room is being monitored electronically.

Estimated State Fiscal Effect				
	FY 2018 SGF	FY 2018 All Funds	FY 2019 SGF	FY 2019 All Funds
Revenue	--	--	--	--
Expenditure	\$14,610	\$73,051	\$14,610	\$73,051
FTE Pos.	--	1.00	--	1.00

Passage of HB 2232 would require KDADS to develop rules and regulations regarding electronic monitoring of adult care home residents. In addition, it is anticipated that electronic monitoring would result in additional complaints to the licensing division's complaint hotline. It is estimated that 1.00 new Complaint Intake Specialist FTE Position would be required to handle the additional workload. Estimated salary and benefits costs for this position total \$69,051 per year, while equipment and supplies are estimated to be \$4,000 per year. Therefore, the total fiscal effect of HB 2232 would be \$73,051 per year for the Kansas Department for Aging and Disability Services. The estimate for both years would include \$47,483 in federal funds, \$10,958 from agency fee funds, and \$14,610 from the State General Fund. Any fiscal effect associated with HB 2232 is not reflected in *The FY 2018 Governor's Budget Report*.

Sincerely,



Shawn Sullivan,
Director of the Budget

cc: Cody Gwaltney, Aging & Disability Services