

As Amended by Senate Committee

Session of 2007

SENATE BILL No. 346

By Committee on Ways and Means

2-14

10 AN ACT creating the Kansas long-term care bill of rights.

11

12 WHEREAS, The Kansas legislature finds and declares that, in keeping
13 with the traditional concept of the inherent dignity of the individual in
14 our democratic society, elderly citizens and citizens with disabilities
15 should enjoy health, honor and dignity; and

16 WHEREAS, Funding for long-term care home and community based
17 services is a priority; and

18 WHEREAS, Future policy development should be guided by the prin-
19 ciples embodied in the Kansas long-term care bill of rights: Now,
20 therefore,

21 *Be it enacted by the Legislature of the State of Kansas:*

22 Section 1. (a) This section shall be known as and may be cited as the
23 Kansas long-term care bill of rights.

24 (1) The state of Kansas shall strive to provide a comprehensive, in-
25 tegrated long-term care system throughout the state that is responsive to
26 the varied long-term care needs of Kansans of any age or economic status.

27 (2) The public policy related to long-term care shall stress individual
28 choice, autonomy, self-determination and privacy.

29 (3) The administration of public programs and services to serve all
30 long-term care populations shall be integrated to ensure better, more
31 coordinated policy making, and more efficient service delivery, thus max-
32 imizing the appropriate use of state resources.

33 (4) The long-term care system eligibility requirements and provider
34 reimbursements shall work toward creating incentives to expand the most
35 needed services; to serve people in the most appropriate care setting of
36 their choice; and to provide quality care.

37 (5) Elderly citizens and citizens with disabilities should receive the
38 necessary care and services in the least costly and the least confining
39 setting of choice possible.

40 (6) Public funding shall work toward improving access to and infor-
41 mation about all institutional and residential long-term care options as
42 well as the full range of care options in the home and community.

43 (7) Any expanded and improved home and community based care

1 services shall be developed in a way that supports and complements the
2 services provided by informal caregivers.

3 (8) The state of Kansas shall strive to provide to all long-term care
4 consumers access to services through a single point of entry as well as to
5 current descriptive, relative performance and cost-related information
6 about their various care options.

7 (9) The foundation of the long-term care service system shall be
8 **strive to provide** strong reporting requirements to document quality and
9 performance of all providers and the ability to electronically track people
10 and their care across the entire health care and long-term care systems.

11 (10) Strong consumer protections and adequate public oversight, ad-
12 vocacy and enforcement shall be available for all long-term care consum-
13 ers to assist such consumers in receiving appropriate, timely and quality
14 care.

15 (11) The state of Kansas shall strive to expedite eligibility determi-
16 nation and service delivery to all persons eligible for services.

17 (12) The department on aging, the department of social and rehabil-
18 itation services, the department of administration, **the Kansas insurance**
19 **department** and the Kansas health policy authority shall meet on a reg-
20 ular and as needed basis with stakeholders and persons representing in-
21 dividuals receiving long-term care services to review the ongoing ade-
22 quacy and quality of care and services.

23 (13) Such state agencies shall submit ~~an annual~~ **a** report on the qual-
24 ity, adequacy and costs of all long-term care, as well as specific recom-
25 mendations and benchmarks for needed reforms, to the governor ~~and the~~
26 ~~legislature~~, **the chairperson of the senate committee on ways and**
27 **means and the chairperson of the house of representatives commit-**
28 **tee on appropriations** annually, during the first week of the regular
29 session.

30 (b) Nothing in this act shall create any entitlement to services.

31 Sec. 2. This act shall take effect and be in force from and after its
32 publication in the statute book.