

SESSION OF 2002

SUPPLEMENTAL NOTE ON SENATE BILL NO. 418

As Amended by Senate Committee of the Whole

Brief*

SB 418 amends four statutes that concern the Board of Adult Care Home Administrators and the licensing and regulation of administrators.

The bill adds two fees to those the Board may establish by rules and regulations – a wall or wallet card replacement license fee; and a duplicate wall license fee for an administrator who serves as administrator of more than one adult care home facility. New language added to the act by SB 418 authorizes the Board of Adult Care Home Administrators to establish standards for good character, training, and experience to be met by persons applying to take the Kansas license examination. The statute that prescribes the membership of the Board and the Board's relationship with the Department of Health and Environment is amended to require any orders of the Board to be issued in compliance with the Kansas Administrative Procedures Act. The last statute to be amended concerns those disciplinary actions that may be taken against a licensee and the grounds for such actions. The amendments authorize the Board to deny a license and set out two additional causes for which an action may be taken against a licensee.

The Senate Committee of the Whole further amended SB 418 by adding two additional statutes, one of which concerns persons who are prohibited from being employed in adult care homes and one of which concerns persons who are prohibited from employment by a home health agency. While the amendments to the two statutes do not expand the convictions that would bar employment in an adult care home or home health agency, they do add the crime of theft as defined in KSA 21-3701, including misdemeanor theft, to those the Secretary of Health and Environment may have access to from criminal history records in the possession of the Kansas Bureau of Investigation (KBI);

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org/cgi-bin/fulltext/bills.cgi>

to the crimes about which the operator of an adult care home or home health agency is to request information from the Secretary; and to the information which is to be furnished to the operator.

Background

SB 418 was introduced at the request of the Board of Adult Care Home Administrators through staff of the Department of Health and Environment who work with the Board. At the hearing on the bill, the same individual and the Assistant Attorney General appointed to assist the Board appeared in support of the bill. The Senate Committee amendments clarify those actions taken by another agency against an adult care administrator that may result in a disciplinary action against the holder of an administrator's license.

The fiscal note on SB 418, which was prepared prior to the Senate Committee of the Whole amendments, indicates passage of the bill would have no fiscal effect.