



To: Rep. Bob Bethell, Chair, and Members,  
House Aging and Long-Term Care Committee  
From: Rachel Monger, Director of Government Affairs  
Date: February 7, 2012

### **House Bill 2583**

Thank you, Chairman Bethell and Members of the Committee. I am Rachel Monger, the Director of Government Affairs for LeadingAge Kansas, formerly known as KAHSA. Our 160 members include not-for-profit nursing homes, retirement communities, hospital long-term care units, assisted living and residential health care residences, homes plus, low income housing, licensed home health agencies and other community based service programs throughout Kansas.

We appreciate the Committee's attention to the provision of long term care for sexual and violent offenders. We believe that it is a multi-layered issue which needs serious study by our State, our communities, and the organizations charged with providing such care. LeadingAge Kansas members recognize the need to balance care for sexual and violent offenders with a resident's right to be made aware of such offender's presence, and to feel safe in their building and community. However, we do have concerns about the implementation of this bill and its effect on providers, as well as the further chilling effect it will have on access to long term care for covered offenders.

As the Committee deliberates House Bill 2583, we respectfully ask you for your attention to the following questions and concerns:

#### **Access**

- The written notice to all current and prospective residents of an adult care home may very well result in homes refusing to admit any, or even fewer, offenders into their long term care communities.
- If the bill results in even more difficulties for offenders seeking long term care, where will they go for such care?

- We are not sure of the magnitude of the problem this bill attempts to address.
  - How many persons on the offender registry are currently residing in adult care homes?
  - How many more will there be in the future?
  - Of the current number of offenders residing in adult care homes, how many are of an age or health status to pose a safety risk to the community?

### **Implementation**

- Will the new notice requirement apply only to new admittees after the statute takes effect? Will adult care homes have to check the offender registry and give written notice for possible offenders already residing in, or being discharged from, the home?
- The law requires the prospective offender resident to give notice to the adult care home of their offender status. What happens if the offender does not give notice to the adult care home?
- Nursing homes are subject to strict federal and state regulations regarding the type of circumstances under which a resident may be discharged. If the notice required by HB 2583 results in significant community backlash, will provisions be made in the bill for discharge of an offender under such circumstances?

Once again, we appreciate the Committee's attention to such an important issue. We hope that such attention will continue, and appreciate the opportunity to voice our concerns. Some States have formed special study groups or task forces to discuss and make recommendations on long term care for the offender population. If the Committee decides to take such a path, we would appreciate any opportunity to share the perspective of our members on the issue.

Thank you. I would be pleased to answer questions.