

SESSION OF 2018

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2688

As Amended by House Committee on
Appropriations

Brief*

HB 2688, as amended, would establish the Behavioral Health Task Force (Task Force) to study the behavioral health system in the State.

Organization of the Task Force

The Task Force would be comprised of the following voting members:

- Three members of the House of Representatives, including one member appointed by the Speaker of the House of Representatives, one appointed by the majority leader of the House of Representatives, and one appointed by the minority leader of the House of Representatives;
- Three members of the Senate, including one member appointed by the President of the Senate, one appointed by the majority leader of the Senate, and one appointed by the minority leader of the Senate;
- One member appointed by the Association of Community Mental Health Centers of Kansas;
- One member appointed by the Kansas Association of Addiction Professionals;

*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>

- One member appointed by the Kansas Sheriffs' Association;
- One member appointed by the Kansas Hospital Association;
- One member appointed by the Kansas Association of School Boards;
- One member appointed by the Kansas Mental Health Coalition;
- One member appointed by the Kansas Psychiatric Society; and
- One member appointed by the Kansas Association for the Medically Underserved.

The Task Force would be comprised of the following non-voting members:

- The Secretary for Aging and Disability Services or the Secretary's designee; and
- The Secretary of Health and Environment or the Secretary's designee.

Members of the Task Force would be appointed on or before July 15, 2018.

The Chairperson and Vice-chairperson of the Task Force would alternate annually between the member appointed by the President of the Senate and the member appointed by the Speaker of the House of Representatives, starting in 2018, with the member appointed by the President of the Senate as the first Chairperson of the Task Force.

Filling of Vacancies

Any vacancy on the Task Force would be filled by appointment in the manner prescribed for the original appointment.

Meetings and Quorum

The bill would require the Task Force to meet in an open meeting at least six times per calendar year at any place within the state, upon call of the Chairperson.

A majority of the voting members of the Task Force would constitute a quorum. Any action by the Task Force would be by motion adopted by a majority of voting members present when there is a quorum.

Duties of the Task Force

The bill would require the Task Force to study the behavioral health system in Kansas by convening working groups addressing the Kansas Department for Aging and Disability Services (KDADS) general administration and oversight of the behavioral health system; state mental health hospitals; the continuum of care for behavioral health services; and payment for behavioral health services. The required topics would include, but not be limited to, the following:

- The level of oversight by KDADS over each entity that provides services to individuals receiving public funds for behavioral health services;
- The duties, responsibilities, and contributions of state agencies, nongovernmental entities, and service providers that provide behavioral health services in Kansas;

- The level of access to behavioral health services in Kansas;
- The increasing number of suicides in Kansas; and
- Any other topic the Task Force or working group deems necessary or appropriate.

The Task Force and each working group convened by the Task Force would consider the 2014 Governor's Mental Health Task Force Report, any reports commissioned by the Governor's Behavioral Health Services Planning Council, the 2016 Adult Continuum of Care Committee Report, and the 2017 Children's Continuum of Care Committee Report.

Working Groups

The members of each working group organized by the Task Force would not exceed seven non-Task Force members and would not be less than two Task Force members. The Chairperson, Vice-chairperson, member appointed by the minority leader of the House of Representatives, and member appointed by the minority leader of the Senate together would appoint the Chairperson and Vice-chairperson of each working group from the members of the Task Force. Any non-Task Force members would be individuals with expertise in a specific area related to the working group's assigned topic of study. All members of the working groups would be appointed by August 15, 2018.

Data and Information Provided

The bill would require KDADS, upon request by the Task Force, to provide data and information relating to the behavioral health system in the State of Kansas that is not otherwise prohibited or restricted from disclosure by state or federal law, including conditions imposed by federal law or rules and regulations for participation in federal programs administered by the Secretary of KDADS.

Reports to the Legislature

The bill would require the Task Force to submit a preliminary progress report to the Legislature detailing the Task Force's study on or before January 19, 2019, and a final report to the Legislature detailing the Task Force's study on or before January 17, 2020. The final report would include, but is not limited to the following:

- Recommended improvements to the behavioral health system in the State of Kansas, including recommended changes to current law and rules and regulations;
- Whether any ongoing task force or similar advisory or oversight entity would aid in addressing behavioral health system concerns; and
- Any other topics the Behavioral Health Task Force deemed appropriate.

Support Services and Compensation

The bill would require KDADS to provide administrative assistance to facilitate the organization and meetings of any working groups to prepare and publish meeting agendas; public notices; meeting minutes; and any research, data, or information requested by a working group.

Staff of the Office of Revisor of Statutes, the Kansas Legislative Research Department, and the Division of Legislative Administrative Services would provide assistance as requested by the Task Force, including assistance to a legislative Task Force member serving on a working group, subject to approval by the Legislative Coordinating Council.

Task Force members would be paid as specified in KSA 75-3223(e), except that any Task Force member who is

employed by a state agency would be reimbursed by such state agency.

Non-Task Force members of working groups attending working group meetings would be paid by KDADS, except that any non-Task Force member who is employed by a state agency shall be reimbursed by such state agency.

Sunset Date

The Task Force would sunset on June 30, 2020.

Effective Date

The bill would be in effect upon publication in the *Kansas Register*.

Background

In the House Committee on Appropriations hearing, proponents of the bill included Representative Concannon, the American Association for Marriage and Family Therapy, Behavioral Health Association of Kansas, Kansas Association of Addiction Professionals, Kansas Association of Community Mental Health Centers, Kansas Association of the Medically Underserved, Kansas Hospital Association, Kansas Mental Health Coalition, and the Kansas Psychiatric Society.

No opponent or neutral testimony was provided.

The House Committee amended the bill to add one voting member representing a federally qualified health center appointed by the Kansas Association for the Medically Underserved.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Legislative Coordinating Council estimates annual legislative and non-

legislative expenses totaling \$52,416, all from the State General Fund, based on six meetings including salary, subsistence, mileage, tolls, en-route expenses, and employer contribution costs. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2019 Governor's Budget Report*.