

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chair Melvin Neufeld at 9:30 a.m. on May 2, 2003, in Room 514-S of the Capitol.

All members were present except: Representative Andrew Howell, excused
Representative Dean Newton, excused
Representative Jo Ann Pottorff, excused

Committee staff present: Amy Deckard, Legislative Research Department
Becky Krahl, Legislative Research Department
Audrey Nogle, Legislative Research Department
Debra Hollon, Legislative Research Department
J. G. Scott, Legislative Research Department
Alan Conroy, Legislative Research Department
Jim Wilson, Revisor of Statutes
Mike Corrigan, Revisor of Statutes
Nikki Feuerborn, Administrative Analyst
Shirley Jepson, Committee Secretary

Conferees appearing before the committee: Brian Vacquez, Attorney, Department of Social and Rehabilitation Services (SRS)

Others attending: See attached

- Attachment 1 Proposed Amendment to **SB 272** by SRS
- Attachment 2 Proposed Amendment to **SB 272** by John Peterson

Jim Wilson, Revisor of Statutes, presented an amendment to **SB 272**, proposed by the Department of Social and Rehabilitation Services, stating "Such lien may be filed only when the community spouse of the spouse receiving medical assistance has vacated the home and the home is not being used as a permanent residence of the community spouse" (Attachment 1).

Brian Vacquez, Attorney for SRS, stated that the amendment is proposed to allow a community spouse of a spouse receiving Medicaid and has not vacated the home, to continue living in the home and prevents the State from attaching a lien to the home. Mr. Vacquez noted that the agency, in proposing the amendment, is working toward setting the parameters to match federal guidelines.

Representative Campbell moved to adopt the amendment to **SB 272** as proposed by SRS. The motion was seconded by Representative Bethell. The motion carried.

The Chair asked the Committee to return to the three amendments which were brought forth by John Peterson, Kansas Land Title Association, during the May 1, 2003, hearing on **SB 272** (Attachment 2).

Representative Landwehr moved to adopt the amendments to **SB 272** as set forth in the memo. The motion was seconded by Representative Campbell. The motion carried.

In response to an inquiry from the Committee as to why the amount of the lien is not required to be filed (line 29 of the bill), Mr. Vacquez stated that the amount would continue to change as long as that person requires Medicaid services. This would make it necessary to continue filing revisions to the lien periodically as long as that person continued to require Medicaid services. Mr. Vacquez noted that the difference between this legislation and the law currently in effect, is that **SB 272** allows a lien to be placed on property before the client's death; whereas, the current law allows for recovery after the client's death with a probate claim.

Representative Shultz moved to pass **SB 272** favorably as amended and allow the Revisor of Statutes to make

CONTINUATION SHEET

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technical adjustments to the bill. The motion was seconded by Representative Merrick. Division was requested. The motion failed.

Representative Campbell moved to approve the Committee meeting minutes of January 24, January 28, February 6, February 11, February 12, February 13, February 17, February 18, February 19, February 20, February 21, February 24, March 13, March 14, March 17 and March 18, 2003. The motion was seconded by Representative Schwartz. The motion carried.

The Chair announced that the biennial tour of the Appropriations Committee will be held October 13 through October 17, 2003.

The Committee meeting was adjourned.

Melvin Neufeld, Chair