

SENATE BILL No. 657

By Committee on Ways and Means

2-27

9 AN ACT creating the lifespan respite care program; concerning duties of
10 the department of social and rehabilitation services; making and con-
11 cerning appropriations for the fiscal years ending June 30, 2009 and
12 June 30, 2010.

13

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

15 Section 1.

16 DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

17 (a) There is appropriated for the above agency from the state general
18 fund for the fiscal year or years specified, the following:

19 Lifespan respite care program

20 For the fiscal year ending June 30, 2009 \$65,000

21 *Provided*, That expenditures from the lifespan respite care program ac-
22 count shall be made only for the purposes established in section 2, and
23 amendments thereto: *Provided further*, That any unencumbered balance
24 in the lifespan respite care program account in excess of \$100 as of June
25 30, 2009, is hereby reappropriated for fiscal year 2010.

26 (b) This act shall not be subject to the provisions of subsection (a) of
27 K.S.A. 75-6702, and amendments thereto.

28 (c) The appropriations made by this act shall not be subject to the
29 provisions of K.S.A. 46- 155, and amendments thereto.

30 (d) In addition to the other purposes for which expenditures may be
31 made by the department of social and rehabilitation services from the
32 lifespan respite care program account of the state general fund for the
33 fiscal years ending June 30, 2009, and June 30, 2010, as authorized by
34 any appropriation act of the 2008 regular session of the legislature or by
35 any appropriation act of the 2009 regular session of the legislature, ex-
36 penditures may be made by the department of social and rehabilitation
37 services from moneys appropriated in the lifespan respite care program
38 account of the state general fund for the fiscal years ending June 30, 2009,
39 and June 30, 2010, for one additional full-time equivalent position for the
40 lifespan respite care program established by section 2, and amendments
41 thereto: *Provided*, That such full-time equivalent position for the lifespan
42 respite care program shall be in addition to any limitation on the number
43 of full-time and regular part-time positions equated to full-time estab-

1 lished for the fiscal years ending June 30, 2009, and June 30, 2010, for
2 the department of social and rehabilitation services by any appropriation
3 act of the 2008 regular session of the legislature or by any appropriation
4 act of the 2009 regular session of the legislature.

5 Sec. 2. (a) When used in this section:

6 (1) "Respite care" means temporary, short-term care not exceeding 90
7 days per calendar year to provide relief from the daily pressures involved
8 in caring for special needs individuals including, but not limited to, in-
9 dividuals receiving services pursuant to K.S.A. 76-12b01 et seq., and
10 amendments thereto.

11 (2) "Lifespan respite care" means a coordinated system of accessible,
12 community based respite care services for family caregivers of individuals
13 with mental or physical handicaps.

14 (3) "Program" means the lifespan respite care program.

15 (4) "Secretary" means the secretary of social and rehabilitation services.

16 (5) "Department" means the department of social and rehabilitation
17 services.

18 (b) (1) The secretary shall conduct a study to gather data necessary to
19 develop a statewide lifespan respite care program. Such study shall be
20 completed on or before November 14, 2008. The secretary of the de-
21 partment on aging shall provide data as needed for the completion of the
22 study. The study shall include, but not be limited to, identifying;

23 (A) The number of families who need respite care by age, disability
24 and county;

25 (B) the funding needed to provide respite care for the families;

26 (C) the need for training for respite care providers; and

27 (D) an appropriate procedure or mechanism for reimbursement to the
28 families for the provision of respite care.

29 (2) The findings and recommendations resulting from such study shall
30 be reported to the joint legislative budget committee on or before De-
31 cember 15, 2008. The joint committee may request the secretary to con-
32 duct further studies or develop requests for funding or legislation to pro-
33 vide for the implementation of the lifespan respite care program as
34 recommended based on the study.

35 (c) Subject to the provisions of appropriation acts and the results of
36 the study set forth in subsection (b), the secretary shall establish a lifespan
37 respite care program within the department of social and rehabilitation
38 services. The program shall:

39 (1) Establish a respite program for primary caregivers of individuals
40 who do not currently qualify for other publicly funded respite services;

41 (2) coordinate with other respite services, including services provided
42 pursuant to K.S.A. 76-12b01 et seq. and K.S.A. 2007 Supp. 38-142 et
43 seq., and amendments thereto;

- 1 (3) support growth and maintenance of a statewide respite coalition;
- 2 (4) provide public awareness to the community;
- 3 (5) identify local training resources for respite care providers; and
- 4 (6) link families with respite care providers and other types of respite
- 5 caregiver consultants.
- 6 (d) The department shall establish an advisory committee that includes
- 7 family caregivers and respite care providers to advise the lifespan respite
- 8 care program on respite care matters. The advisory committee shall pro-
- 9 vide information and technical assistance to those involved in the pro-
- 10 gram.
- 11 Sec. 3. This act shall take effect and be in force from and after its
- 12 publication in the statute book.