

M I N U T E S

SPECIAL COMMITTEE ON SOCIAL AND REHABILITATION SERVICES

June 27, 1975

Members Present

Representative Roy Ehrlich, Chairman  
Senator John Crofoot, Vice-Chairman  
Senator Cale Hudson  
Senator Bob Madden  
Representative Kenneth Francisco  
Representative Rex Hoy  
Representative Jim Lawing  
Representative R. C. Zajic

Staff Present

Norman Furse, Revisor of Statutes Office  
Ramon Powers, Legislative Research Department  
Marlin Rein, Legislative Research Department

Morning Session

Chairman Ehrlich called the meeting to order at 10:20 a.m. He reviewed with the Committee the discussion he and Representative Lawing had with the staff at a preliminary meeting earlier in the month. Chairman Ehrlich then introduced Secretary Harder of Social and Rehabilitation Services who proceeded to give an overview of the institutions and their role in the delivery of health services to Kansas citizens. Secretary Harder distributed a packet of material which contained descriptions of the programs at the various institutions and additional data. Harder then described how the Kansas Citizens Plan on Comprehensive Mental Health Services had been developed and was being currently updated. A copy of the Kansas Citizens' Plan was given to the staff to be made available to Committee members. After his brief remarks, Secretary Harder introduced Ken Keller from the Division of Mental Health and Retardation Services and stated that they would both respond to any questions.

In response to a question, Secretary Harder outlined the process by which people have been moved out of the institutions into other facilities over the past quarter century, noting that the process dates from Governor Carlson's administration. A great number of persons moved out of these hospitals, were placed in nursing homes. He indicated that an increasing number of individuals are treated earlier and are able to return to their homes rather than remaining institutionalized. The Secretary was also asked whether surprise visitations were proper. He responded that it depended upon how the Committee members saw the purpose of their visits. Advance notice was not necessary, and it was up to the Committee as to how it should proceed.

In response to a question on the practice of follow-up of patients, the Secretary noted that sufficient patient data had not been available while the local welfare offices controlled data on the movement of patients. Two years ago, under Project Reintegration, SRS established a tracking system. He suggested that such a system needs to be computerized to have full tracking capability and that is the goal he has in mind for patients in the hospitals. A Committee member raised the question of other uses of data on computers suggesting that there cannot be a full guarantee on the confidentiality of such data. The Secretary was asked if personnel history information is presently on computers, and it was agreed that it might be useful to get a full statement from Secretary Harder on the information that he plans to have placed in a computer under the proposed system. Secretary Harder stated that he would comply by giving the staff sample copies of the Central Payment System (Cen-Pay) data and he stated that the data on hospital patients will be an extension of the type of information which is used for social service clients.

X <sup>A</sup> The Committee member asked the Secretary about the implications of the Supreme Court ruling concerning the treatment of mental patients which had been handed down the previous day by the U.S. Supreme Court, and what Kansas must do to comply with the ruling. Secretary Harder stated that the SRS attorney told him that Kansas is substantially in compliance with the thrust of the Supreme Court ruling on the question of dangerousness of a patient to himself or others. The Secretary went on to state that SRS is prepared to argue that treatment is provided in Kansas state hospitals. The Secretary did state that when the hospitals are at a population level of approximately 200 residents, the state can give more individualized care. In a general discussion of the treatment offered by the various state hospitals, the Secretary said that individualized treatment is offered by the hospitals, or, in cases where such treatment is not offered, there will be an individualized treatment plan within another year.

The state does not have many locked wards at the various hospitals or at the youth centers. He noted that generally patients or residents are free to come and go. Major restrictions involve the use of seclusion which is at a minimum in state facilities. The Secretary added that the exception is the security unit at Larned which currently has approximately 125 residents, most of which are court referrals. Data on the precise types of referrals will be provided the Committee. Harder concluded by noting that since the early 1960's when he first became familiar with state institutions there has been a substantial change from mostly closed wards to mostly open wards at the state facilities.

There followed a discussion on the cost of transferring individuals from the hospital setting to a local setting. The Secretary noted that two years ago, state aid to nursing homes totaled \$24,000,000; this year it is \$39,000,000, although the state supported nursing homes population has increased from only 10,000 to 10,500. It was the Secretary's understanding two years ago that state money would be provided through reintegration (i.e., Title IVA and VI) and vocational rehabilitation to match federal money and provide various social services. With the phase out of Title IVA and VI, a new Title XX funding mechanism will be effective in the fall of this year. SRS is currently developing a state plan for Title XX funding.

Secretary Harder then proceeded to discuss the state master plan. A Task Force of Citizens is presently engaged in revising that plan and will report in the fall. The Secretary also noted that discussions have been held with personnel at K.U. and at Menningers about future mental health training and staffing. An advisory committee is also presently providing input.

In response to a question about payments for patient labor, the Secretary noted that all patients engaged in work which is to the benefit of the institution are being paid.

In response to a question concerning the Rainbow Unit, Secretary Harder stated that there were still problems with identity and lines of authority concerning the unit. A new program director has helped the situation, and Mr. Ken Keller attends the weekly staff meetings. Local groups want the facility turned over to them totally, however, the land on which the Rainbow Unit is located had been purchased by the state. There are legal problems involved if the state were to transfer those facilities to the local community. The Secretary suggested that the Committee visit that center which is a mental hospital in Kansas City and complimentary to the K.U. Medical Center, and the Wyandotte and Johnson Counties mental health centers.

The Committee turned its attention to the possible future uses of the Southeast Kansas Tuberculosis Hospital, which will be phased out as of October 1. In the matter of alternative uses of the facility, the Secretary stated that some of the land could be transferred to the local school districts as authorized in legislation passed during the last session. He suggested the possibility of transferring the elderly mentally ill to the facility. This would allow for the development of Osawatomie as a specialized facility for the younger population, particularly those under 20 years of age. Such a move would facilitate matters concerning the desire of juvenile judges to make more referrals to state institutions. When asked how many older patients will spend the remainder of their life in a state facility, Secretary Harder estimated that there were probably less than 100, and that the facility at Chanute would probably be able to hold most of those presently in the other facilities.

Concerning Proposal No. 64 it was noted that the state purchase services from nursing homes but they do not in any way staff or control the homes. Secretary Harder noted that these homes have been reluctant to supply information to SRS until two years ago. There are approximately 10,500 persons in nursing homes in the State of Kansas who receive state payments for services provided under Title XIX. Title XIX funding is divided 55% federal and 45% state. Costs incurred by those persons in nursing homes receiving general assistance are met by state funds only.

#### Afternoon Session

In the afternoon session, Chairman Ehrlich introduced Norman Furse who reviewed the activity of previous institution committees. He noted that those committees have not been concerned with bricks and mortar, rather with interviewing staff and patients, and focusing on institutional problems.

There followed considerable discussion of the procedures that the Committee might use, particularly if it undertook the matter of visiting nursing homes. It was suggested that the Committee divide into subgroups and two legislators visit nursing homes and report their findings to the Committee. It was the feeling of the Committee that this matter be given high priority. The staff was directed to prepare nursing home visitation assignments for the members of the Committee. It was suggested that staff visit with Secretary Harder to solicit his ideas on what nursing homes the Committee might visit. Dr. Drury related to the Committee the Legislative Coordinating Council's concern over Proposal No. 64 and how the leadership felt such a proposal could be implemented. It was noted that the direction

indicated by Dr. Drury was also the direction the Committee was considering. It was generally agreed that visits to these facilities would be undertaken by individual members directly, and it would not be directly related to the activity of the Committee in visiting SRS institutions. The Committee agreed to visit the mental retardation facility at Parsons on July 28 and the Southeast Kansas Tuberculosis Hospital at Chanute on July 29. The staff was directed to notify the institutions in advance of the visit.

Meeting adjourned.

Prepared by Ramon Powers

Approved by Committee on:

7-29-75  
(Date)