

Approved April 7, 1986
Date

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS

The meeting was called to order by Senator August "Gus" Bogina at
Chairperson

11:00 a.m./p.m./ on March 25, 1986 in room 123-S of the Capitol.

All members were present except:

Committee staff present:

Research Department: Robin Hunn, Scott Rothe, Gloria Timmer
Revisor's Office: Norman Furse
Committee Office: Judy Bromich, Doris Fager

Conferees appearing before the committee:

APPROVAL OF MINUTES

Motion was made by Senator Werts and seconded by Senator Gaines to approve committee minutes for March 13 and March 17. The motion carried by voice vote.

HB 2759 - Appropriations for FY 1987, Mental Health Hospitals and Youth Centers

HB 2801 - Supplemental Appropriations for FY 1986, Hospitals and Youth Centers

HB 2759 - Section 2 - Youth Center at Topeka

HB 2801 - Youth Center at Topeka

Senator Winter presented the subcommittee reports on the Youth Center at Topeka. During his review of the report on HB 2759, he called the committee's attention to House Ways and Means recommendation No. 3 (See Attachment A.) Following his explanation of Attachment A, Senator Winter explained that each youth center budget contains additional money to replace the loss to those institutions through categorical aid. He further explained that there has been a like reduction in S.G.F. categorical aid in the Department of Education budget. He noted that it is a matter of transferring funds from one place to another. There were questions from committee members about this item.

Senator Winter stated that a matter had come to his attention prior to this meeting concerning violence at the Youth Center at Topeka. He then made a motion to amend the subcommittee report to suggest that the House-Senate conference committee examine the problems relating to combative students, and to provide additional funding for their supervision in the Omnibus appropriations bill, if necessary. The motion was seconded by Senator Johnston and carried by voice vote.

HB 2759 - Section 3 - Youth Center at Beloit

There were no questions from committee members following Senator Winter's presentation of the subcommittee report on this section.

HB 2759 - Section 4 - Youth Center at Atchison

Committee members were given the opportunity to question Senator Winter following his presentation of the subcommittee report on this section.

Motion was made by Senator Winter and seconded by Senator Gannon to add the systemwide KPERS adjustment voted by the full committee at an earlier date to each of the Youth Centers' budgets. The motion carried by voice vote.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS,
room 123-S, Statehouse, at 11:00 a.m./p.m. on March 25, 1986

HB 2759 - Continued

Senator Winter asked the committee to review with him the Senate subcommittee systemwide recommendations for Mental Health and Retardation institutions. These recommendations appear at the beginning of the subcommittee reports for HB 2759. In connection with the subcommittee's recommendation No. 1, Senator Winter stressed that a Governor's Budget Amendment should be requested concerning fee funds balances.

There were questions from committee members about the subcommittee's systemwide recommendations. Senator Winter particularly elaborated on Attachment 1 of those recommendations. He then distributed Attachment B, and there was extended discussion concerning the suggestions made.

Senator Doyen asked if the funds which will be received from the Exxon settlement could be used in connection with systemwide recommendation No. 2, regarding utilities. Senator Talkington suggested they might be used for capital improvements if those improvements are concerned with energy conservation.

Senator Werts asked about moving mentally retarded people from state institutions, and the amount of review or inspection the Federal Government will do as a result of that move. Dr. Harder noted that the percentage of inspection is smaller in community centers, but that there will continue to be inspection by the Federal Government. Staff indicated that the Department of Health and Environment reviews all clients every year under any circumstances. There was extended discussion about this matter.

HB 2801 - Section 10 - Kansas Neurological Institute

HB 2759 - Section 5 - Kansas Neurological Institute

Senator Winter presented the subcommittee reports on Kansas Neurological Institute. Members of the committee asked questions for clarification of the report.

HB 2801 - Larned State Hospital

There were no questions following Senator Winter's review of the subcommittee report on this section.

HB 2759 - Section 6 - Larned State Hospital

During presentation of the subcommittee report on this section, Senator Gaines suggested that the \$20,000 recommended in Recommendation No. 4 is a lot of money to spend on a computer. Senator Winter agreed with him, but added that Topeka State Hospital has such a computer and it can be used for medical records, etc., as well as general "paper work."

Continuing the discussion concerning the computer, Senator Bogina noted that the computer at Topeka State Hospital was in the Governor's basic budget, but the one in question was not. He questioned why one should be funded by the Governor, and not the other. Senator Winter said the subcommittee agreed with him, and that is why they recommended the \$20,000 in this subcommittee report. He noted that the agency had asked for \$30,000.

Senator Feleciano asked if Senate subcommittee recommendation No. 6 is a mandate to reduce population in state hospitals. He expressed concern that patients dismissed from hospitals will not get proper service. Senator Winter explained that the trend of reducing the size of large institutions is evident. Senator Bogina added that the recommendation does not reduce the number of patients, but is a replacement of two buildings.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS,
room 123-S, Statehouse, at 11:00 a.m./p/m./on March 25, 1986

HB 2759 - Continued

There was continued discussion about recommendation No. 6. Dr. Hannah explained that Western Kansas will be the first test of attempting to transfer hospital patients to community centers. He said it is not known how much funding will be needed to finance such moves. According to Dr. Hannah, the Department informs mental health centers concerning the number of patients who can be transferred, and the centers decide whether or not they can accept those patients. Senator Winter added that the Department had asked to make this test, and the community mental health centers are ready to cooperate.

HB 2801 - Osawatomie State Hospital

During presentation of the subcommittee report on this section, there was discussion concerning the legislation recommended in No. 3. Senator Gannon, a member of the subcommittee, said the fiscal ramifications of this issue are about \$170,000 this year. He agreed this is a lot of money, but noted that the idea has the potential of helping as HMO's become more popular.

HB 2759 - Section 7 - Osawatomie State Hospital

During his presentation of the subcommittee report on this section, Senator Winter called attention to House subcommittee recommendation No. 5 and Senate subcommittee recommendation No. 1, concerning population at the hospital. There was discussion concerning the need for adolescent beds, and Dr. Hannah said there are three child psychiatrists at Osawatome State Hospital so the institution is equipped to work with the adolescent program. Answering a question from Senator Bogina, Senator Winter said the Governor had no recommendation to provide funding for this program.

There was extended discussion regarding Senate subcommittee recommendation No. 4. Senator Gannon said he does not like the idea of razing old buildings, and Senator Winter said he reluctantly voted to do so. A conceptual motion was made by Senator Talkington and seconded by Senator Gannon to amend the subcommittee report to provide for rerouting the tunnel, but to delay the decision regarding razing of the building. Following a brief discussion concerning the need to protect passersby from falling bricks, etc., the motion carried by voice vote.

HB 2801-Rainbow Mental Health Facility
HB 2759 - Rainbow Mental Health Facility

There were no questions following Senator Winters' presentation of the subcommittee report on Rainbow Mental Health Facility.

HB 2801 - Section 12 - Parsons State Hospital

Committee members were given the opportunity to question Senator Gannon following his presentation of the subcommittee report on this section.

HB 2759 - Section 9 - Parsons State Hospital

Senator Gannon presented the subcommittee report on this section. There were questions from committee members concerning the group home recommendation. Answering questions from Senator Johnston concerning the possible increase in population at Parsons, Senator Gannon said the subcommittee feels that there is need to look at the entire picture before any big steps are taken concerning hospital and mental health facilities. Senator Winter added that the subcommittee was confused about the exact use of the program. They were not sure if it is a pre-release program or a supplement of group homes operated in a new way.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS,

room 123-S, Statehouse, at 11:00 a.m./p.m./on March 25, 1986

HB 2759 - Continued (Section 9 - Parsons State Hospital)

Dr. Hannah said it is the intent of the superintendent at Parsons to set up a group home and to go off campus, because there were no existing facilities on campus. He added that it was felt this would provide a better transition to other community agencies. Senator Winter said the subcommittee questioned why, if the hospital is looking to transition to other agencies, should the state not contract with someone now operating group facilities instead of planning new buildings. He added that the subcommittee would like more information on the subject; and that the subcommittee would not try to keep the funding from being reinserted in Conference Committee. Senator Johnston stressed that he would like to take another look at the situation at that time.

HB 2801 - Section 13 - Norton State Hospital

Senator Gannon presented the subcommittee report on this section, and committee members were given the opportunity to question him.

HB 2759 - Section 10 - Norton State Hospital

Senator Gannon reviewed the subcommittee report on this section. There was discussion concerning the fact that the patients at Norton are adults.

Senator Feleciano commented that he felt the trend is to save dollars and reduce bodies in state institutions. He added that the attempt is being made to return people to society, but are the dollars going to follow to keep the people in community care centers? Senator Bogina stressed that the dollars must follow. Senator Gannon said that the subcommittee has a lot of concern for the clients in these institutions; and that they felt it is in the best interests of those individuals to be in a smaller, more caring, type of situation. Both Senator Gannon and Senator Winter agreed that they will work to make sure the dollars are provided.

HB 2801 - Topeka State Hospital

There were no questions following Senator Gannon's presentation of the subcommittee report on this section.

HB 2759 - Section 11 - Topeka State Hospital

In connection with the subcommittee report on this section, motion was made by Senator Winter and seconded by Senator Gannon to reduce the amount provided for a computer at Topeka State Hospital from \$30,000 to \$20,000. The motion carried by voice vote.

HB 2801 - Winfield State Hospital

Senator Gannon reviewed the subcommittee report on this section. Senator Feleciano questioned the recommendation No. 2, regarding not supporting Winfield's use of Wichita State University and the Medical Center at Wichita. Other members of the committee assured him that the similar program at Parsons would be sufficient to serve other state institutions.

HB 2759 -- Section 12 - Winfield State Hospital

The subcommittee report for this section was presented by Senator Gannon, and members of the committee were given the opportunity to question him.

Following completion of all subcommittee reports, Senator Feleciano indicated his objection to HB 2801 subcommittee report for Winfield State Hospital, recommendation No. 2.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS,
room 123-S, Statehouse, at 11:00 a.m./p.m./on March 25, 1986

HB 2759 - Continued

Motion was made by Senator Winter and seconded by Senator Gannon to adopt the subcommittee reports for HB 2759 as amended. The motion carried by voice vote.

Senator Winter stated that he would make additional inquiry into the Osawatomie beds and will report back to the Chairman of the Committee. He added that the subcommittee would also follow up on plans for the youth centers during consideration of the omnibus appropriations bill.

Motion was made by Senator Winter and seconded by Senator Gannon to report HB 2759 as amended favorably for passage. The motion carried by roll call vote.

INTRODUCTION OF BILLS

The chairman presented two measures which he had been requested to introduce. The bills are (1) Bill draft RS 2764, relating to unlawful acts by investment advisers; and (2) Bill draft RS 2774, relating to expenditures from the state emergency fund. Motion was made by Senator Talkington and seconded by Senator Winter to introduce the two bills as requested. The motion carried by voice vote.

The meeting was adjourned by the Chairman.

HOUSE WAYS AND MEANS FY 87 RECOMMENDATION NUMBER THREE

(Youth Center Education Funding Recommendation)

The House Ways and Means Subcommittee report recommendation #3 provides additional State General Funds to each youth center budget to replace special education services reimbursement funds (Categorical Aid) which is disbursed by the Kansas Department of Education. This change has been requested by SRS primarily on the basis that the Kansas Department of Education will change on May 1, 1986, their definition regarding those students who qualify for Categorical Aid reimbursement. Current definitions qualify 100% of the youth center students. Estimates indicate that only 24% of the students at Beloit, 36% at Atchison and 61% at Topeka will qualify for Categorical Aid reimbursement under the new definitions.

SRS has requested this funding change on the basis of a recent study committee report. The committee was made up of representatives from the Department of Education, Educators, Legislators, and SRS. In summary, the recommendations call for the need to find a funding resource which replaces KDE Categorical Aid and the establishment of KDE special regulations for youth center schools.

The study report and its recommendations have been endorsed by Dr. Howard Blackburn, Commissioner of Education and Dr. Robert Harder, Secretary of SRS. The report was also adopted by the State Board of Education at their February 12, 1986, meeting.

In addition to the funding recommendation, the House Committee on Ways and Means has submitted HB 3100 which changes the distribution of Categorical Aid as a companion to the school funding recommendation. The proposed legislation removes those teachers who work under contract between the Youth Centers at Topeka, Beloit, and Atchison and local school districts from the Categorical Aid reimbursement program.

During the House Ways and Means consideration of this proposal, concern was expressed regarding the effect of the change to the KDE Categorical Aid reimbursement program. Mr. Ben Barrott, Kansas Legislative Research Department, was asked to project the impact of reducing the amount appropriated to the KDE Categorical Aid program by the amount needed to reduce Categorical Aid funds at the youth center schools. The projection indicates that with both the reduction of funds available for Categorical Aid and a reduction of reimburseable teaching units involved in HB 3100, funds available for local school district reimbursement would not be adversely affected. In fact, the projection shows that if the House Ways and Means recommendation is followed, local districts could receive approximately \$14 more per full time teacher.

Attachments

Youth Center Education Program Study Committee Report

HB 3100

Kansas Legislative Research Department Categorical Aid Projection

S.W.+M 3/25/86

A 3-25-86

SOCIAL AND REHABILITATION SERVICES

RE: MR Patient Movement

Problem

to be Solved - The movement of 84 persons out of institutions for the mentally retarded and to achieve the movement at the lowest possible cost.

STEPS

- 1. Move 48 persons from Winfield State Hospital to Parsons State Hospital.
2. Transfer 20 positions to Parsons State Hospital from Winfield State Hospital with a further reduction at Winfield State Hospital of 12 FTE.
3. Reduce population at Winfield State Hospital to approximately 450 and hold the population at Parsons State Hospital at approximately 385.
4. Move 29 persons into community ICF/MR's. At least 15-20 persons would enter Faith Village, Johnson County, at a cost of approximately \$56.00 per day (this is not an additional cost since Faith Village is already budgeted). The balance of the number would be spread throughout the state.
5. Move 55 persons into community social service programs throughout the state.
6. The cost of the 55 persons would not exceed \$43.00 per day, approximately \$15,700 per year. The current expectation is that approximately 60 slots would be available if there were funds appropriated. These funds would be made available on a competitive basis. Through competition and resident resources we expect the daily cost would go under \$43.00 per day.
7. If the population at Norton State Hospital is to be 108, this would reduce the staff at Norton State Hospital by 16 FTE below the House recommendation. The House recommendation assumed a resident census of 120. The population at Kansas Neurological Institute would remain constant at approximately 285.
8. We think this effort can be accomplished during FY-1987.

Robert C. Harder
Office of the Secretary
March 25, 1986
296-3271

S. W + M 3/25/86

B 3-25-86