

Approved \_\_\_\_\_  
Date

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS

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

11:30 a.m./p.m. on April 9, 1986 in room 123-S of the Capitol.

All members were present except:

Committee staff present:

Research Department; Robin Hunn, Scott Rothe  
Revisor's Office: Norman Furse, Gordon Self  
Committee Office: Judy Bromich, Doris Fager

Conferees appearing before the committee:

Representative Gary Blumenthal  
Dr. Robert Harder, Secretary, SRS  
Lila Pasley, Retarded Citizens of Kansas  
Marshall Crowther, Executive Secretary, KPERS  
Michael Byington, Services for the Visually Handicapped

HB 2300 - Establishing within the Department of SRS a bureau of transitional planning to provide planning services to certain developmentally disabled persons

Representative Blumenthal distributed his prepared explanation of the bill, and answered committee questions. (Attachment A) He noted that he had been advised by Mr. Furse that there is an error on Line 33 of the bill, where the word "from" should be changed to "below".

Committee members asked for further explanation of the educational process, preparation of case files, etc.

Dr. Harder presented his statement regarding HB 2300 (Attachment B) Senator Bogina asked why legislation is necessary in order to accomplish the proposal in HB 2300. Dr. Harder explained that the statute sets a definite policy and makes the program easier to implement.

Ms. Pasley appeared to support passage of HB 2300 (See Attachment C). Senator Bogina asked if a parent or guardian can go to SRS today and ask what is available for a developmentally disabled child. Ms. Pasley said it can be done, but most often it would be at the time of graduation. If the information is made available to all parents two years before graduation, the transition would be easier for them.

There were several questions from members of the committee. Ms. Pasley and Dr. Harder answered these questions concerning the proposed changes.

Motion was made by Senator Johnston and seconded by Senator Feleciano to make a technical amendment on Line 33, as suggested by Mr. Furse, to strike the word "from" and insert in its place the word "below." The motion carried by voice vote.

Motion was made by Senator Gannon and seconded by Senator Kerr to report HB 2300 as amended favorably for passage. The motion carried by roll call vote.

HB 2736 - KPERS, eligibility, visually impaired persons

Dr. Harder reviewed his statement concerning HB 2736, and answered questions from committee members. (See Attachment D)

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS

room 123-S, Statehouse, at 11:30 a.m./p/m./on April 9, 1986

HB 2736 - Continued

Mr. Byington presented his written statement, and committee members were given the opportunity to question him. (See Attachment E)

Mr. Crowther indicated that there had been considerable discussion involving SRS and its employees. He said that HB 2736 is an attempt to find a way to treat visually handicapped people fairly. He explained that these people do not have most of the fringe benefits other state employees have. Mr. Crowther said the fiscal note is somewhere between \$10,000 and \$12,000, depending on the number of individuals involved. He suggested that this is a common sense approach to a serious problem.

Senator Bogina assigned HB 2736 to the subcommittee which has studied the KPERS budget. He noted that this subcommittee will review a list of KPERS bills and recommend some amendments to HB 2736 by including some of those bills.

HB 3100 - Special education services at state youth centers, school district entitlements

Dr. Harder presented his written testimony (Attachment F). It was noted by the Chairman that this had been introduced as a result of adopting a subcommittee report earlier in the session.

Motion was made by Senator Winter and seconded by Senator Gannon to report HB 3100 favorably for passage. The motion carried by roll call vote.

SB 630 - Authorizing certain incentives for employment of assistance recipients

There was discussion concerning SB 630, and Senator Johnston indicated the provisions of this bill have been placed in proviso language for FY 1987. However, he stressed that he would like to see it placed in statute for future years.

Dr. Harder reviewed his statement on SB 630 (Attachment G) and answered questions from committee members.

Motion was made by Senator Johnston and seconded by Senator Feleciano to report SB 630 favorably for passage. The motion carried by roll call vote.

HB 3119 - SRS: Sale of real property of certain institutions thereunder

Dr. Harder distributed his written statement and reviewed it for the committee. (Attachment H) There were questions from committee members regarding the provisions of HB 3119. Mr. Furse indicated that there are some technical problems with the bill which need to be corrected if the committee decides to act on it. Senator Werts asked if perhaps any decision made to sell property should be approved by the Department of Administration. Dr. Harder said he would not object to that. Senator Bogina suggested that the Joint Committee on State Building Construction could also be involved. Senator Winter expressed his opposition to the bill, stating that he feels the present process is working well.

No action was taken on HB 3119.

APPROVAL OF MINUTES

Motion was made by Senator Werts and seconded by Senator Gaines to approve committee minutes for April 2 and April 3. The motion carried by voice vote.

The meeting was adjourned by the Chairman.

CARY H. BLUMENTHAL  
 REPRESENTATIVE, TWENTY-THIRD DISTRICT  
 JOHNSON COUNTY  
 10125 EDELWEISS CIRCLE  
 MERRIAM, KANSAS 66203-4608



TOPEKA

HOUSE OF  
 REPRESENTATIVES

April 9, 1986

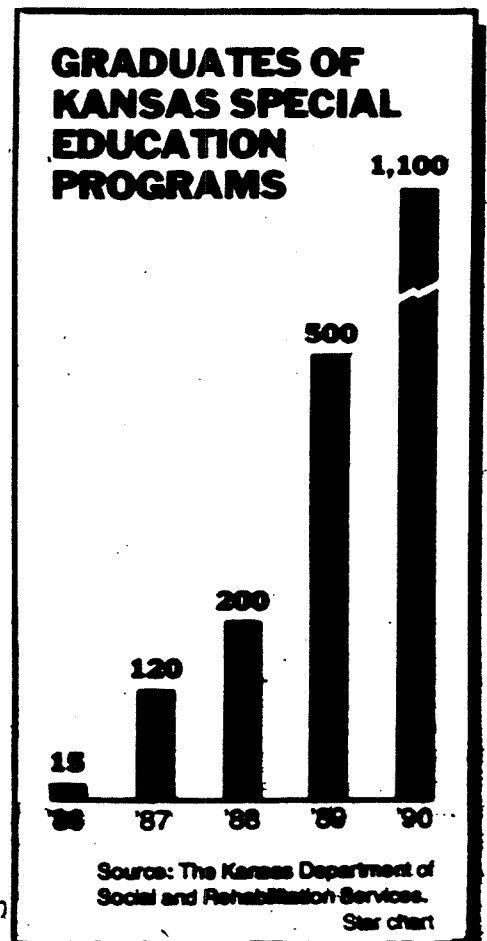
COMMITTEE ASSIGNMENTS  
 MEMBER: ELECTIONS  
 INSURANCE  
 PUBLIC HEALTH AND WELFARE  
 KANSAS PLANNING COUNCIL ON  
 DEVELOPMENTAL DISABILITIES

HB 2300 is intended to assist families of special education students who will be graduating from public high schools at age 21. Many of these individuals will continue to need services from a variety of providers including residential programs, vocational programs, or rehabilitation programs.

Many parents of special education students encounter great difficulty when attempting to arrange services after their young adult's 21st birthday. Many parents have been conditioned by PL 94-142 to expect quality services for a handicapped son or daughter after they are no longer covered by the mandate. Parents eager to obtain services often have no idea where to turn for guidance and support.

HB 2300 would set a mechanism in place that would direct the Secretary of SRS to work cooperatively with local school districts to begin a process, two years prior to a special education student's graduation, that would identify appropriate services and a specific transitional plan for that handicapped young adult.

This cooperative effort would greatly aid in guaranteeing appropriate placements. Often parents in search of services will place their child on the waiting list of several various programs in an effort to find "any placement", often at the expense of the appropriate placement. Additionally this bill would assist the State in documenting and preparing adequately to meet the significant needs of post special education students in the future. By the early 90's the State will face a significant crisis in this area as over 1,000 special education graduates attempt



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to enter a system that has not planned for their arrival.

The issues addressed in HB 2300 received support from the 1985 Special Committee on Public Health and Welfare to develop a mechanism for transitional services.

The Interim Committee recommended: "Transitional Services. The Committee also notes there are a large number of individuals in special education programs who will need assistance in the transition from education programs to community services. Currently, the state is not involved in transitional planning for such individuals, and there are no specific procedures which are designed to deter institutionalization of individuals exiting special education programs and to ensure that such individuals will be served at the community level. Since the State Department of Education is required to report to the federal government on the type of services projected to be necessary for clients exiting special education, the Committee recommends that the Department of Education share this information with the Department of Social and Rehabilitation Services and that the two agencies work cooperatively to develop transitional planning procedures designed to ensure a continuum of services for the mentally retarded. November 26, 1985, Special Committee on Public Health and Welfare".

STATE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

Statement Regarding House Bill 2300

I. Short Title of Bill: Transitional planning for those "graduating" or "aging-out" of special education programs.

The bill requires the Secretary of Social and Rehabilitation Services (SRS) to receive information from special education programs and prepare service plans for those mentally retarded or other developmentally disabled clients (MR/DD) who are "graduating" or "transitioning" from special education programs--two years hence.

II. Background

The bill is patterned on what has been termed the "turning twenty-two" legislation passed by the states of Massachusetts and Wisconsin. Many MR/DD individuals continue to need training or other related services even though they have passed the maximum age where these services are available under Public Law 94-142. This bill would establish a mechanism whereby local school districts provide information to SRS that, when coupled with an interdisciplinary assessment, would provide specific information on the number and service needs of a population that now comes to the attention of SRS at the same time services are needed.

III. Discussion

The bill requires the Secretary of Social and Rehabilitation Services to prepare transitional service plans to mentally retarded/developmentally disabled persons who will graduate or turn twenty-two within two years. At this time, there are approximately 15 MR/DD individuals that will exit special education programs in FY 86, 120 in FY 87, 200 in FY 88, 500 in FY 89 and 1,100 in FY 1990. To minimize the fiscal impact, SRS proposes that the interdisciplinary evaluations and development of the transitional plans to be conducted by the professional staff of the four state facilities for the mentally retarded. Similar cooperative activities occur now as part of the "cooperation between the state institutions which serve the mentally retarded and local programs which provide community-based services for the mentally retarded in the development and implementation of regional services" as endorsed through HCR 5054, CH. 460 of the 1982 Session Laws of Kansas. The information obtained through the development of transitional plans could be used to justify requests for legislative appropriations. The two year notice would provide the lead time needed to develop or expand those services receiving legislative support.

IV. SRS Position

SRS supports the concept, as outlined in HB 2300, of identifying and determining the service needs of mentally retarded/developmentally disabled individuals graduating from special education programs.

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SRS supports the language in HB 2300 which clearly stipulates that the Secretary will have responsibility for preparation of the plans only if funding and staff are available. SRS is concerned that HB 2300 sets up the expectation that services will be available, and be provided, to all those for whom transitional service plans are developed. Therefore, SRS supports the language in the bill that clearly states that only if funding and staff are available those persons eligible for programs operated and funded by SRS will be provided services in these programs.

Robert C. Harder, Secretary  
Office of the Secretary  
Kansas Department of Social  
and Rehabilitation Services  
296-3271  
April 9, 1986

THE ASSOCIATION FOR  
RETARDED CITIZENS OF KANSAS, INC.



11111 W. 59th TERRACE  
SHAWNEE, KANSAS 66203 • (913) 268-8200

*Hope through understanding*

April 9, 1986

BRENT GLAZIER  
*Executive Director*

GINGER CLUBINE

*President  
Wichita*

CAROL DUCKWORTH

*Vice President  
Lawrence*

VIRGINIA LOCKHART

*Secretary  
Topeka*

ROBERT ATKISSON

*Treasurer  
Topeka*

DON CULLY

*Past President  
Hutchinson*

To: Senator Gus Bogina, Chairman  
Members Senate Ways and Means Committee

From: Lila Paslay, Chairperson  
Legislative Affairs

RE: HB 2300

The members of the ARC/Kansas ask you to support HB 2300.

We believe this bill provides a way to begin addressing the issues related to continued services and programs for persons with mental retardation and other developmental disabilities once they leave public schools and the mandate of PL 94-142.

The planning which will be made available through this law will aid in providing information which will enable the state and its communities to plan for appropriate programs for young adults needing special services.

We do believe it is in the best interest of all Kansans to work toward the development of a continuum of services for those who are mentally retarded and/or developmentally disabled. This can be done through the planning process made possible through HB 2300.

At the present time many communities do not provide services which will aid families in determining appropriate and needed programs for their sons and daughters upon completion of their public school education. The passage of this bill will allow that transitional planning to be done under the auspices of SRS.

Although we recognize this bill does not mandate such transitional planning, we are confident SRS will work diligently to provide these services to as many families as possible within the department's fiscal restraints.

We ask your support of HB 2300.

*S. W. + M*

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*4-9-86  
11:30 a.m.*

State Department of Social and Rehabilitation Services

Statement Regarding H.B. 2736

1. Title -- An act enfolding Kansas Industries for the Blind sheltered workshop employees into unclassified Civil Service positions, facilitating their eligibility for Kansas Public Employees Retirement System benefits; amended K.S.A. 1984 Supp. 74-4902 and 74-4927 and repealing the existing sections.
2. Purpose -- The purpose of this bill is to amend K.S.A. 1984 Supp. 74-4902 and 74-4927 and repeal the existing sections so that sheltered workshop employees in the Kansas Industries for the Blind program will be enfolded into unclassified Civil Service positions, thereby facilitating their eligibility for Kansas Public Employee Retirement System benefits.
3. Background -- Currently, the 73 employees of the Kansas Industries for the Blind program at sheltered workshop in Kansas City and Topeka have all fringe benefits available to classified employees except those related to the Kansas Public Employees Retirement System. Blind constituent groups and the employees themselves are advocating for inclusion in the Kansas Public Employees Retirement System. Without this inclusion, these employees will not be eligible for health benefits when they retire from the workshops. Their right to inclusion in retirement benefits is supported by the fact that 15 of the 73 current employees have longevity of twenty years or more. A long-range plan designed to make the Kansas Industries for the Blind a break-even or profit-making operation also calls for the employees to have a retirement plan.
4. Effect of Passage -- The effect of passage will be that Kansas Industries for the Blind sheltered workshop employees will be enfolded into unclassified Civil Service positions and will become eligible for benefits of the Kansas Public Employees Retirement System, including health benefits after retirement. This will afford these employees an array of fringe benefits comparable to those afforded employees in classified Civil Service positions.

Robert C. Harder  
Secretary  
Social and Rehabilitation Services  
296-3271  
April 9, 1986

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11:30 a.m.



# Kansas Association for the Blind and Visually Impaired, Inc.

## TESTIMONY CONCERNING HB2736

I am Michael Byington, Registered Kansas Lobbyist for the above named organization and Outreach Advocate/Case Manager for the Topeka Resource Center for the Handicapped. I rise in support of House Bill 2730.

Employees of state operated sheltered workshops for the blind have few rights, benefits, or chances for advancement. They usually make less than minimum wage and work for many years with no opportunity for promotion. It is not uncommon for them to work into their 80s because there is no retirement. There is no choice but to keep working.

I know this bill has a fiscal note, and I know this is a bad year for such things. When has there ever been a really good year? Nonetheless, blind sheltered workshop employees should have the dignity of having the option to retire. Thank you.

Testimony

H.B. 3100

Mr. Chairman, members of the committee, I appear here today in support of H.B. 3100.

Youth Center schools have traditionally been funded by a blend of KSDE Special Education reimbursement funds and a regular legislative appropriation. The KSDE portion represents about 43 percent of the total budget.

This fall a joint task force made up of legislators, KSDE staff, Youth Services staff, and local education representatives recommended that Youth Center schools should be fully funded via the normal appropriation process. This recommendation was based upon the realization that a sizeable portion of the budget (43%) may well be jeopardized by changing KSDE definitions and fluctuations in the amount of categorical aid available. This recommendation was endorsed by KSDE and the State Board of Education.

H.B. 3100 was developed as a companion bill to H.B. 2759, the Youth Center appropriation bill. H.B. 3100 would not allow Youth Centers access to KSDE Special Education reimbursement funds, since H.B. 2759 placed all Youth Center education funds in the Youth Center budget. This process allows the Youth Centers to know what their funding level will be, and not be dependent upon KSDE definitions and funds.

Both bills must pass together. If H.B. 3100 passes and education monies are eliminated from the appropriation bill, we will no longer have access to the KSDE fund.

Robert C. Harder  
Office of the Secretary  
Social and Rehabilitation Services  
296-3271  
April 9, 1986

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11:30 a.m.

KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

Statement Regarding Senate Bill 630

Title

An ACT concerning the secretary of social and rehabilitation services; relating to incentives for the employment of assistance recipients.

Purpose

This bill allows the Secretary of Social and Rehabilitation Services to use Aid to Dependent Children (ADC) grant money to provide an incentive payment to private or public employers who hire ADC recipients.

Background

Since the implementation of Community Work Experience Program, Food Stamp Job Search and Job Club in 1983, the SRs Job Preparation Programs have shown considerable success in placing AFDC recipients in employment. However, additional funds and potential job placements can be realized by initiating another work program option currently available through Title IVA of the Social Security Act. This program, called Grant Diversion, allows states to use AFDC grant money to provide an incentive payment to private or public employers who hire AFDC recipients. Previous demonstration projects nationally have shown that Grant Diversion can be a viable option for job placement of AFDC recipients who have completed the current Job Preparation Programs but have not yet been successful in finding employment.

Grant Diversion is a technique which allows ADC to be provided as part of a paycheck rather than a cash grant. Under Grant Diversion the recipient is placed in employment and the basic grant is frozen, Income Maintenance staff determines whether the recipient is entitled to a residual ADC grant after considering wages from the employers, and the difference between the base grant and the residual grant is diverted to the wage pool. Funds from the wage pool (diverted AFDC grants) is used to pay an incentive to the employers who hire AFDC recipients.

If this legislation is passed, SRS would propose an initial pilot program for 100 recipients during the first year.

Targeted jobs would be with both private and public employers. Jobs must pay at least \$4 an hour and provide benefits such as health insurance, if possible. Length of wage subsidy contracts with employers would vary from 3 to 9 months (Federal maximum) with the length of contracts based upon the hourly wage rate. Higher paying jobs would receive longer contracts. A flat rate of \$100-\$200 per month would be paid to employers.

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Child care costs would be paid by the agency for up to a total of 11 months for recipients who participate. Child care would be paid for one month job preparation/placement prior to employment, for the length of the contract and for one month after the recipient is transitioned into the unsubsidized job. If eligible and if funds are available the recipient could receive social service income eligible child care payments thereafter.

Medical services would be available during the length of the contract for up to 4 months. Since medical services cannot be provided, except in some instances, longer than 4 months it is imperative that health insurance benefits be provided by the employers, if at all possible.

Effect of Passage

Additional job placements can be realized for Aid to Dependent Children recipients.

SRS Recommendation

SRS urges your support of this legislation.

Robert C. Harder, Secretary  
Office of the Secretary  
Social & Rehabilitation Services  
296-3271  
April 9, 1986

KANSAS DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES  
Statement Regarding 3119

Title

An Act authorizing the Secretary of Social and Rehabilitation Services sale of real property of certain institutions.

Purpose

This bill allows the Secretary to sell any real property at an institution that is not needed for the institution. The language of the bill is permissive because the bill reads that the Secretary may sell, and the determination of whether or not such property is needed is left to the Secretary. Property value is determined by an appraisal of disinterested parties, and any monies derived from such sales are to be credited to the social welfare fund.

Background

This bill was proposed by House Ways and Means Committee after a review of lands leased or not in use at the state institutions.

Lands Leased or Not in Use at State Institutions

	Leased Out	Not in Use
Larned State Hospital	909.2	274.6
Osawatomie State Hospital	806.8	
Topeka State Hospital	-	-
Kansas Neurological Institute	72.0	
Norton State Hospital	523.6	35.4
Parsons State Hospital	-	-
Winfield State Hospital	393.9	
Youth Center at Atchison	108.0	
Youth Center at Topeka	266.7	
Total Acres	3080.2	310.0

Source - 1987 Institution Budget Documents

Property used by the Department on institutional grounds (for example, Area Office space on TSH grounds) but not used by the institution itself could be construed as not needed. The same could apply to the pre-release centers. Neither of these uses are needed by the institution. However, as the Secretary also determines if property should be sold, the Secretary has the flexibility to hold onto it rather than sell it.

SRS Recommendation

Support

Robert C. Harder, Secretary  
Social and Rehabilitation Services  
296-3271  
April 9, 1986

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