

Approved 3-22-89  
Date

MINUTES OF THE House COMMITTEE ON Appropriations

The meeting was called to order by Bill Bunten at  
Chairperson

1:30 ~~am~~/p.m. on March 6, 1989 in room 514-S of the Capitol.

All members were present except: Representative Francisco (excused)

Committee staff present: Ellen Piekalkiewicz, Legislative Research  
Debra Duncan, Legislative Research  
Jim Wilson, Revisor of Statutes  
Sharon Schwartz, Administrative Aide  
Sue Krische, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list.

**INTRODUCTION OF BILLS**

The Committee was requested to introduce a bill for Representative Crumbaker concerning school district interlocal cooperation agreements which amends the definition, making it less restrictive, and provides that the interlocal cooperation act shall not impair the authority of school districts and boards of education (Attachment 1). Representative Lowther moved introduction of the bill. Representative Shriver seconded. Motion carried.

HB 2028 - Appropriations for FY90, department of social and rehabilitation services and state mental health and retardation institutions.

**KANSAS NEUROLOGICAL INSTITUTE**

Representative Solbach reviewed the subcommittee report for FY89 and FY90 (Attachment 2). The subcommittee advised that the actual census at KNI was 375 in 1988 and the Governor's recommendation for 1990 is 385. Representative Vancrum moved adoption of the subcommittee report for FY89 and FY90. Representative Solbach seconded. Motion carried.

**PARSONS STATE HOSPITAL**

Representative Turnquist reviewed the subcommittee report for FY89 and FY90 (Attachment 3). Representative Turnquist moved adoption of the subcommittee report. Representative Vancrum seconded. Motion carried.

**WINFIELD STATE HOSPITAL**

Representative Vancrum reviewed the subcommittee report for FY89 and FY90 (Attachment 4). Representative Kline advised that the agency's request to remodel the Fern Building has been approved by the Joint Committee on State Building Construction. Representative Vancrum moved that Paragraph #8 in the FY89 subcommittee report be changed to "add" \$25,000 State General Fund to fund the remodeling of the Fern Building. Representative Solbach seconded. Motion carried.

In response to a question, Representative Vancrum stated the subcommittee did not give consideration to unclassifying some of the nursing positions as they felt that would not address the problem of pay ranges that need adjustment. Extensive discussion focused on the problems of staffing Winfield and the cost to the state of contract nurses.

Representative Kline moved that Paragraph #10 in the FY90 subcommittee report be amended to "add" \$25,000 from the SRS major maintenance

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Appropriations,  
room 514-S, Statehouse, at 1:30 ~~xm.~~/p.m. on March 6, 1989.

fund for the remodeling of the Fern Building at Winfield State Hospital. Representative Heinemann seconded. Motion carried.

Representative Shriver stated that a bill has been introduced this session to unclassify the dentist position at Winfield. He noted this would be his preference to the subcommittee's recommendation in Paragraph #12 for the agency to contract with the dentist in the amount of \$60,000.

Representative Vancrum moved adoption of the subcommittee report for FY89 and FY90 on Winfield State Hospital, as amended. Representative Turnquist seconded. Motion carried.

The Chairman announced that work on HB 2028 will be completed when the subcommittee report on SRS is available.

**INTRODUCTION OF BILLS**

Representative Fuller requested introduction of a bill to require that a coroner's autopsy report be supplied to a hospital. Wesley Medical Center in Wichita has been unable to get the coroner's autopsy report on former patients at the hospital to complete their medical records (Attachment 5). Representative Fuller moved introduction of the bill. Representative Teagarden seconded. Motion carried.

Chairman Buntin announced the Committee will meet March 7 and 8, 1989 at 12:00 noon or on first adjournment of the House.

The meeting was adjourned at 1:50 p.m.



HOUSE BILL NO. \_\_\_\_\_

By Committee on Appropriations

AN ACT concerning school districts; relating to the joint and cooperative performance thereby of certain services, duties, functions, activities, obligations and responsibilities; amending K.S.A. 1988 Supp. 12-2906 and 72-8230, and repealing the existing sections.

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

Section 1. K.S.A. 1988 Supp. 72-8230 is hereby amended to read as follows: 72-8230. (a) In the event the boards of education of any two or more school districts enter into school district interlocal cooperation agreements pursuant--to--the ~~provisions-of-the-interlocal-cooperation-act~~ for the purpose of jointly and cooperatively performing any of the services, duties, functions, activities, obligations or responsibilities which are authorized or required by law to be performed by school districts of this state, the following conditions shall apply:

(1) A school district interlocal cooperation agreement shall establish a board of directors which shall be responsible for administering the joint or cooperative undertaking. The board of directors shall be composed of at least one member from the board of education of each school district which enters into the agreement. Each board of education shall appoint its representative or representatives to the board of directors. The terms of office of the members of the board of directors shall expire concurrently with their terms as board of education members. Vacancies in the membership of the board of directors shall be filled in the same manner as originally filled within 30 days from the date of the vacancy.

(2) A school district interlocal cooperation agreement shall be effective only after approval by the state board of education.

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Attachment 1

(3) A school district interlocal cooperation agreement shall be subject to change or termination by the legislature.

(4) The duration of a school district interlocal cooperation agreement for joint or cooperative action in performing any of the services, duties, functions, activities, obligations or responsibilities, other than the provision of special education services, which are authorized or required by law to be performed by school districts of this state, shall be for a term of at least three years but not exceeding five years.

(5) (A) The duration of a school district interlocal cooperation agreement for joint or cooperative action in providing special education services shall be perpetual unless the agreement is partially or completely terminated in accordance with this provision. This provision applies to every school district interlocal cooperation agreement for the provision of special education services entered into under authority of this section after the effective date of this act and to every such agreement entered into under this section prior to the effective date of this act, and extant on the effective date of this act, regardless of any provisions in such an agreement to the contrary.

(B) Partial termination of a school district interlocal cooperation agreement for the provision of special education services may be accomplished only upon petition for withdrawal from the agreement by a contracting school district to the other contracting school district or school districts and approval by the state board of written consent to the petition by such other school district or school districts or upon order of the state board after appeal to it by a school district from denial of consent to a petition for withdrawal and hearing thereon conducted by the state board. The state board shall consider all the testimony and evidence brought forth at the hearing and issue its order approving or disapproving withdrawal by the school district from the agreement.

(C) Complete termination of a school district interlocal

cooperation agreement for the provision of special education services may be accomplished only upon approval by the state board of a joint petition to it for termination of the agreement by all of the contracting school districts after adoption of a resolution to that effect by each of the contracting school districts. The state board shall consider the petition and approve or disapprove termination of the agreement.

(D) The state board shall take such action in approving or disapproving a complete or partial termination of a school district interlocal cooperation agreement for the provision of special education services as it deems to be in the best interests of the involved school districts and of the state as a whole in the provision of special education services for exceptional children. Whenever the state board has disapproved a complete or partial termination of such an agreement, no further action with respect to such agreement shall be considered or taken by the state board for a period of not less than three years.

(6) A school district interlocal cooperation agreement shall specify the method or methods to be employed for disposing of property upon partial or complete termination thereof.

(7) Within the limitations provided by law, a school district interlocal cooperation agreement may be changed or modified by mutual consent of the contracting school districts.

(b) Except as otherwise specifically provided in this subsection, any power or powers, privileges or authority exercised or capable of exercise by any school district of this state, or by any board of education thereof, may be jointly exercised pursuant to the provisions of a school district interlocal cooperation agreement. No power or powers, privileges or authority with respect to the levy and collection of taxes, the issuance of bonds, or the purposes and provisions of the school district equalization act or title I of public law 874 shall be created or effectuated for joint exercise pursuant to the provisions of a school district interlocal cooperation

agreement.

(c) Payments from the general fund of each school district which enters into any school district interlocal cooperation agreement for the purpose of financing the joint or cooperative undertaking provided for by the agreement shall be operating expenses.

(d) Upon partial termination of a school district interlocal cooperation agreement, the board of directors established under a renegotiated agreement thereof shall be the successor in every respect to the board of directors established under the former agreement.

(e) As used in this section:

(1) "School district interlocal cooperation agreement" means an agreement which is entered into by the boards of education of two or more school districts pursuant to the provisions of the ~~interlocal-cooperation-act~~ and which is in accord accordance with the provisions of this section.

(2) "State board" means the state board of education.

(f) Nothing contained in this section shall be construed to abrogate, interfere with, impair, qualify or affect in any manner the exercise and enjoyment of all of the powers, privileges and authority conferred upon school districts and boards of education thereof by the provisions of the interlocal cooperation act as contained in article 29 of chapter 12 of Kansas Statutes Annotated.

Sec. 2. K.S.A. 1988 Supp. 12-2906 is hereby amended to read as follows: 12-2906. In the event that an agreement made pursuant to this act shall deal in whole or in part with the ~~provisions~~ provision of services or facilities with regard to which an officer or agency of the state government has constitutional or statutory powers of control or supervision, the agreement shall, as a condition precedent to its entry into force, shall be submitted to the state officer or agency having such power of control or supervision and shall be approved or disapproved by the state officer or agency as to all matters

within such officer's or agency's jurisdiction in the same manner and subject to the same requirements governing the action of the attorney general pursuant to subsection (f) of K.S.A. 12-2904(f), and amendments thereto. This requirement of submission and approval shall be in addition to and not in substitution for the requirement of submission to and approval by the attorney general.

Any agreement to participate in a group-funded pool or any other insurance-pooling arrangement shall be subject to the provisions of K.S.A. ~~1987~~ 1988 Supp. 12-2616 ~~to~~ through 12-2629, and amendments thereto.

Sec. 3. K.S.A. 1988 Supp. 12-2906 and 72-8230 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.



**SUBCOMMITTEE REPORT**

Agency: Kansas Neurological  
Institute

Bill No. 2063

Bill Sec. 23

Analyst: Duncan

Analysis Pg. No. 555

Budget Pg. No. 386

<u>Expenditure Summary</u>	<u>Agency Req. FY 89</u>	<u>Governor's Rec. FY 89</u>	<u>Subcommittee Adjustments</u>
<b>State Operations:</b>			
State General Fund	\$ 10,050,859	\$ 11,265,946 <sup>(a)</sup>	\$ 38,000
General Fee Fund	522,658	523,624	--
Medicaid	8,771,746	8,771,746	--
Other Funds	<u>251,545</u>	<u>251,545<sup>(a)</sup></u>	<u>--</u>
Subtotal	\$ 19,596,808	\$ 20,812,861	\$ 38,000
<b>Capital Improvements:</b>			
State Institutions			
Building Fund	121,145	18,695	--
TOTAL	<u>\$ 19,717,953</u>	<u>\$ 20,831,556</u>	<u>\$ 38,000</u>
FTE Positions	842	842	--

a) Includes technical corrections itemized in the Governor's Budget Amendment No. 1 (a reduction of \$559,688 from Title XIX and an addition of the same amount from the State General Fund).

Agency Request/Governor's Recommendation

For FY 1989, the Kansas Neurological Institute (KNI) requests \$19,596,808 for operating expenditures. KNI's request includes supplemental funding in the amount of \$6,890 and three additional Foster Grandparent positions to implement a three year challenge grant received from the federal government last year.

KNI was recently surveyed by the Kansas Department of Health and Environment (KDHE) which notified the agency on September 28, 1988 that it does not meet minimum standards in providing active treatment to its clients and has a number of serious deficiencies relating to nursing and pharmacy services. To alleviate staffing deficiencies the Finance Council approved 24 new positions for the agency.

KNI is currently certified as out of compliance with active treatment. Thus, the agency has eleven months to comply with federal standards. Until such time, federal Medicaid funding will continue for current residents but will not be available for new clients. The agency will again be surveyed in the spring or summer of 1989. At that time, KDHE will make a determination as to KNI's continued certification.

The Governor recommends \$20,812,861 for operations in FY 1989, an increase of \$1,234,748 (6.3 percent) over the agency estimate. The recommendation includes a \$1,182,553 increase in salaries and wages, a \$1,500 decrease in utilities, a \$10,000 increase in maintenance and supplies, a \$3,000 increase in communications, a \$10,000 increase in professional and scientific supplies, and a \$12,000 increase in household supplies. The Governor recommends a supplemental General Fund appropriation of \$655,399 and an expenditure limitation increase of \$559,688 on the Title XIX Fund.

HA  
3-6-89  
Attachment 2

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation, with the following adjustments:

1. Add \$68,000 for capital outlay in state operating expenditures to fund the purchase of two butterfly physical therapy tanks and one instantaneous water heater.
2. Reduce \$30,000 from state operating expenditures for utilities due to expenditure savings to date.
3. The Subcommittee notes with concern the agency's difficulties in hiring qualified nurses, in particular LPNs; especially after the implementation of Phase III. An LPN position, which usually requires two years of training, is now paid at range 15 beginning at \$16,428 per year while direct care workers who receive approximately six weeks of formal training are paid at range 16 or \$17,232 per year. The Subcommittee is not only concerned with the inequities in the pay for these positions but also with the alarming number of LPN vacancies at these institutions. The Subcommittee urges SRS to make a formal written request to the Department of Personnel as soon as possible, in conformance with K.A.R. 1-5-8 to increase all entry level LPNs and upgrade existing LPN positions to Range 15, Step D which would approximate the salary of a direct care supervisor. The Subcommittee believes that unless this can be accomplished a nursing shortage could result which could jeopardize continued certification at the mental retardation hospitals.

The Subcommittee is not including funding for these LPN step increases at this time; however, should Division of Personnel approve the request, the Subcommittee recognizes that an additional \$15,401 which includes \$1,649 in fringe benefits will be needed to fund these positions through the remaining four months of the current fiscal year. The inability to fill these positions could result in a loss of millions of dollars in federal Medicaid funding. The Subcommittee requests the Senate Subcommittee carefully review this issue. If the Division of Personnel does not permit the step increases requested by SRS, consideration should be given, either by the Senate or in the omnibus bill, to providing additional money to fund nursing contracts in FY 1990.

4. The Subcommittee concurs with the Governor's Budget Amendment No. 1 which adds \$559,688 from the State General Fund and reduces the same amount from the Title XIX fund. The Subcommittee, however, strongly recommends that SRS change the current state Medicaid plan to allow recovery of prospective funds rather than continue with the current method of revising the plan at the end of each fiscal year. It is the understanding of the Subcommittee that the federal government has approved the recovery of prospective funds by other states and the Subcommittee sees no reason why Kansas is not able to do the same, which will allow the state to offset budgetary increases at the present time. A change in the state plan would enable the state to apply for

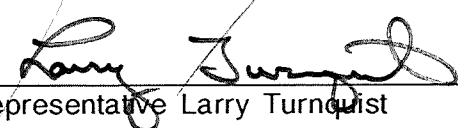
"projected" status which would allow the state to receive federal funds for projected increases in operating costs, not only on an annual basis, but more frequently in response to budget changes. The Subcommittee directs SRS to research this issue and to inform the Senate Subcommittee of their findings.



Representative Robert Vancrum  
Subcommittee Chairperson



Representative John M. Solbach III



Representative Larry Turnquist

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**SUBCOMMITTEE REPORT**

Agency: Kansas Neurological  
Institute

Bill No. 2028

Bill Sec. 2

Analyst: Duncan

Analysis Pg. No. 555

Budget Pg. No. 386

<u>Expenditure Summary</u>	<u>Agency Req. FY 90</u>	<u>Governor's Rec. FY 90</u>	<u>Subcommittee Adjustments</u>
<b>State Operations:</b>			
State General Fund	\$ 12,077,893	\$ 11,656,878 <sup>a</sup>	\$ (51,925)
General Fee Fund	571,648	545,970	47,646
Medicaid	9,430,849	11,757,265 <sup>a</sup>	--
Other Funds	<u>227,387</u>	<u>226,995</u>	<u>--</u>
Subtotal	<u>\$ 22,307,777</u>	<u>\$ 24,187,108</u>	<u>\$ (4,279)</u>
<b>Capital Improvements:</b>			
State Institutions			
Building Fund	\$ 631,200	\$ 0	\$ --
TOTAL	<u>\$ 22,938,977</u>	<u>\$ 24,187,108</u>	<u>\$ (4,279)</u>
FTE Positions	922.0	878.0	(1.0)

- a) Includes technical corrections itemized in Governor's Budget Amendment No. 1 (a reduction of \$559,688 from the State General Fund and addition of the same amount from Title IXI funding and an addition of \$74,480 in salaries and wages, half from the State General Fund and half from Title XIX funds).

Agency Request/Governor's Recommendation

KNI requests \$22,307,777 in state operation expenditures for FY 1990. Requested capital improvements funded from the State Institutions Building Fund total \$631,200. The total request includes approximately \$1,884,475 for the addition of 104 new positions, continuation of funding for the three federal Foster Grandparent positions, and one position reclassification.

The Governor recommends an operating budget of \$24,187,108 for KNI in FY 1990, an increase of \$1,879,331 over the agency request. The recommendation includes a salary and wage increase of \$2,080,938 above the agency request and reductions in nonsalary expenses of \$201,607.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation with the following adjustments:

1. Add \$18,000 in state operating expenditures to correct a technical error in the special education contract.
2. Reduce salaries and wages by \$26,023 which includes \$5,072 in fringe benefits and 1.0 FTE for salaries and wages to eliminate one psychology trainee position. KNI is currently allocated four half-time psychology trainee positions for a total of 2.0 FTE. The Subcommittee notes that 1.0 FTE psychology trainee position has been vacant since April, 1987.

2.2

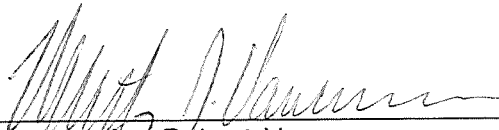
3. Add \$6,000 to state operating expenditures to rent five photocopy machines.
4. Reduce salaries and wages by \$2,256 to delete the reclassification of a DTS III. This reclassification is no longer necessary due to the implementation of Phase III.
5. The Subcommittee notes the agency request for five additional Mental Retardation Specialists FTE positions, but feels that the request came too late in the Subcommittee's deliberations to make a definite decision as to the needs for these positions. The Subcommittee urges the Senate Subcommittee to look specifically at this issue.
6. Increase the expenditure limitation on the KNI Fee Fund from \$545,970 to \$593,616, an increase of \$47,646 which will reduce the Fee Fund ending balance to \$79,943. The Subcommittee recommends that the same \$47,646 be reduced from the State General Fund.
7. The Subcommittee concurs with the technical correction in Governor's Budget Amendment No. 1 adding \$74,480 from Title XIX and the State General Fund to provide salary and fringe benefits for five office assistant positions. These positions are correctly reflected in the FTE limitation.
8. The Subcommittee notes with concern the agency's difficulties in hiring qualified nurses, in particular LPNs; especially after the implementation of Phase III. An LPN position, which usually requires two years of training, is currently paid at range 15 (\$16,428 per year) while direct care workers, who receive approximately six weeks of formal training are paid at range 16 (\$17,232 per year). The Subcommittee is not only concerned with the inequities in the pay for these positions but also with the alarming number of LPN vacancies at the institutions. The Subcommittee urges SRS to make a formal written request to the Division of Personnel as soon as possible, in conformance with K.A.R. 1-5-8, to increase all entry level LPNs and upgrade existing LPN positions to Range 15, Step D which would approximately the salary of a direct care supervisor. The Subcommittee believes that unless this can be accomplished, a nursing shortage could result which could jeopardize continued certification at the mental retardation hospitals.

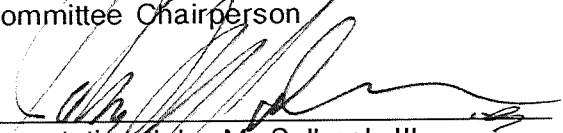
The Subcommittee is not including funding for LPN step increases, however, should Division of Personnel approve SRS's request, the Subcommittee recognizes that an additional \$47,840 (including fringe benefits and a 4 percent salary increase) will be needed to fund these positions. The Subcommittee notes that the inability to fill these positions could result in a loss of millions of dollars in federal Medicaid funding. The Subcommittee requests the Senate Subcommittee to carefully review this issue. If the Division of Personnel does not permit the step increases requested by SRS, consideration should be given, either in the Senate or in the omnibus bill, to providing additional money to fund nursing contracts in FY 1990.

9. The Subcommittee concurs with the Governor's Budget Amendment No. 1 which adds \$559,688 from the Title XIX fund and reduces the same

amount from the State General Fund. The Subcommittee, however, strongly recommends that SRS change the current state Medicaid plan to allow recovery of prospective funds rather than continue with the current method of revising the plan at the end of each fiscal year. It is the understanding of the Subcommittee that the federal government has approved the recovery of prospective funds by other states and the Subcommittee sees no reason why Kansas is not able to do the same, which will allow the state to offset budgetary increases at the present time. A change in the state plan would enable the state to apply for "projected" status which would allow the state to receive federal funds for projected increases in operating costs, not only on an annual basis, but more frequently in response to budget changes. The Subcommittee directs SRS to research this issue and to inform the Senate Subcommittee of their findings.

10. The Subcommittee notes that the three mental retardation agencies are incorporated into H.B. 2028, the SRS bill. This bill allocates 7,991 FTE positions to SRS and does not itemize individual FTE positions for the three hospitals. The Subcommittee recommends that these three agencies be set up as a separate budget item with a separate FTE for each agency, either in the same bill or in a different budget bill detached from SRS.

  
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Representative Robert Vancrum  
Subcommittee Chairperson

  
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Representative John M. Solbach III

  
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Representative Larry Turquist

## SUBCOMMITTEE REPORT

Agency: Parsons State Hospital  
and Training Center

Bill No. 2063

Bill Sec. 24

Analyst: Duncan

Analysis Pg. No. 587

Budget Pg. No. 456

<u>Expenditure Summary</u>	<u>Agency Req. FY 89</u>	<u>Governor's Rec. FY 89</u>	<u>Subcommittee Adjustments</u>
<b>State Operations:</b>			
State General Fund	\$ 6,941,754	\$ 7,736,711 <sup>a</sup>	\$ (57,500)
General Fee Fund	657,660	643,288	--
Medicaid	6,324,308	6,324,308 <sup>a</sup>	--
Other Funds	<u>40,715</u>	<u>40,715</u>	<u>--</u>
Subtotal	\$ 13,964,437	\$ 14,745,022	\$ (57,500)
<b>Capital Improvements:</b>			
State Institutions			
Building Fund	<u>261,279</u>	<u>245,870</u>	<u>--</u>
Total	<u>\$ 14,225,716</u>	<u>\$ 14,990,892</u>	<u>\$ (57,500)</u>
 FTE Positions	 520.5	 520.5	 --

a) Includes technical corrections itemized in the Governor's Budget Amendment No. 1 (a reduction of \$347,552 in Title XIX funding and an addition of \$347,552 from the State General Fund).

### Agency Request/Governor's Recommendation

Parsons estimates a revised total operating budget in FY 1989 of \$13,964,437, which is the amount authorized by the 1988 Legislature as further adjusted by the State Finance Council. The transfer was necessary due to delays in obtaining satisfactory specifications and prices on the items. Parsons was recertified by the Kansas Department of Health and Environment in July, 1988, with no major deficiencies. The institution was again surveyed in January, 1989 and was cited for violations of client rights, particularly in the area of informed consent. The agency is taking measures to correct deficiencies in this area and will be resurveyed in the spring of 1989. The population at Parsons at the beginning of FY 1989 was estimated at 307 residents and the budgeted census for FY 1989 is 285.

The Governor recommends operating expenditures of \$14,745,022 for FY 1989, an increase of \$780,585 (5.6 percent) over the agency estimate. Included in the Governor's recommendation is a \$761,258 increase in salaries and wages; a reduction of \$10,585 in communications; a reduction of \$16,087 in utilities; an increase of \$36,000 in contractual services; and an increase of \$10,000 for food. The Governor also recommends FY 1989 expenditures totaling \$245,870 from the State Institutions Building Fund. This recommendation includes reappropriation of funds from the following projects authorized by the Legislature for FY 1988: \$28,298 for renovation of Cedar cottage; \$8,058 for planning a new heating plant; \$32,307 for construction of a new heating plant; \$1,783 to replace the console on the hospital's public address system; \$164,052 for major maintenance projects; and \$11,372 for roof repair projects.

HA  
3-6-89  
Attachment 3

### House Subcommittee Recommendation


The House Subcommittee concurs with the Governor's recommendation, with the following adjustments:


1. Reduce \$50,000 from state operating expenditures for utilities due to expenditure savings to date.
2. Reduce \$13,000 from state operating expenditures for travel and subsistence based on savings accrued from a delay in the agency's rental of four vans.
3. Reduce client salaries and wages by \$22,500. The Governor allocated \$106,000 for client salaries in the current year. The agency, however, has identified \$22,500 of this amount as more than needed for their present program. The Subcommittee notes with approval Parson's efforts to allow clients to participate in such meaningful on the job training as screen printing and gardening in addition to the Deli operation and janitorial programs already in place. The Subcommittee approves of the agency's negotiations with the city of Parsons to contract for client janitorial and gardening services, noting that completion of such contract could provide an additional income source to the residents. In light of this opportunity, the Subcommittee strongly urges SRS to request a special project account to be set up for the Institution to allow Parsons to separate and manage client funds.
4. Add \$28,000 to replace the laundry folding machine. Based upon projections, it would cost over \$20,000 to repair this machine.
5. The Subcommittee notes with concern the discrepancy between the pay for LPNs and the pay for direct care workers since the implementation of Phase III. An LPN position, which usually requires two years of training, is paid at Range 15 beginning at \$16,428 per year while direct care workers who receive approximately six weeks of formal training are paid at Range 16 or \$17,232 per year. The Subcommittee urges SRS to make a formal written request to the Department of Personnel as soon as possible, in conformance with K.A.R. 1-5-8 to increase all entry level LPNs and upgrade existing LPN positions to Range 15, Step D, which would approximate the salary of a direct care supervisor. The Subcommittee believes that unless this can be accomplished, a nursing shortage could result which could jeopardize continued certification at the mental retardation hospitals, resulting in a loss of millions of dollars in federal Medicaid funds.

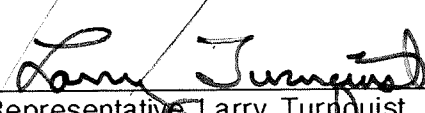
The Subcommittee is not including funding for these LPN step increases at this time; however, should Division of Personnel approve the request, the Subcommittee recognizes that an additional \$15,073 including \$1,614 in fringe benefits will be needed to fund these positions for the remaining four months of the current fiscal year. The Subcommittee requests the Senate Subcommittee to carefully review this issue. If the Division of Personnel does not permit the step increases requested by SRS, consideration should be given, either by the Senate or in the omnibus bill, to providing additional money to fund nursing contracts in FY 1990.



6. The Subcommittee concurs with the Governor's Budget Amendment No. 1 which deletes \$347,552 in Title XIX funding and adds a corresponding amount from the State General fund. The Subcommittee, however, strongly recommends that SRS change the current state Medicaid plan to allow recovery of prospective funds rather than continue with the current method of revising the plan at the end of each fiscal year. It is the understanding of the Subcommittee that the federal government has approved the recovery of prospective funds by other states and the Subcommittee sees no reason why Kansas is not able to do the same, which will allow the state to receive federal funds for projected increases in operating costs, not only on an annual basis, but more frequently in response to budget changes. The Subcommittee directs SRS to research this issue and to inform the Senate Subcommittee of their findings.

  
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Representative Robert Vancrum  
Subcommittee Chairperson

  
\_\_\_\_\_  
Representative John M. Solbach, III

  
\_\_\_\_\_  
Representative Larry Turnquist

**SUBCOMMITTEE REPORT**

Agency: Parsons State Hospital  
and Training Center

Bill No. 2028

Bill Sec. 2

Analyst: Duncan

Analysis Pg. No. 587

Budget Pg. No. 456

<u>Expenditure Summary</u>	<u>Agency Req. FY 90</u>	<u>Governor's Rec. FY 90</u>	<u>Subcommittee Adjustments</u>
<b>State Operations:</b>			
State General Fund	\$ 7,876,486	\$ 7,942,245 <sup>a</sup>	\$ (56,222)
General Fee Fund	575,000	551,368	45,266
Medicaid	6,544,399	7,830,846 <sup>a</sup>	--
Other Funds	30,000	30,000	--
Subtotal	\$ 15,025,885	\$ 16,354,459	\$ (10,956)
<b>Capital Improvements:</b>			
State Institutions			
Building Fund	1,877,100	--	--
Total	\$ 16,902,985	\$ 16,354,459	\$ (10,956)

FTE Positions

549.5

524.5

2.0

a) Includes technical corrections itemized in the Governor's Budget Amendment No. 1 (a reduction of \$347,552 in the State General Fund and an addition of \$347,552 from the Title XIX fund).

Agency Request/Governor's Recommendation

The agency's FY 1990 request is \$15,025,885, of which \$7,876,486 is from the state General Fund. The total request is an increase of \$1,061,448 above the revised FY 1989 estimate. The FY 1990 request includes 29 new positions at a cost of \$494,760 including fringe benefits.

The Governor recommends operating expenditures of \$16,354,459 for FY 1990, an increase of \$1,328,574 over the agency request. The recommendation contains an increase above the agency request of \$1,524,767 for salaries and wages (including \$79,296 for four new FTE positions); a decrease of \$12,959 for communication expenses; an increase of \$1,321 in special education; a reduction of \$12,666 for utilities; a \$5,660 decrease in clothing expenditures; a \$15,802 reduction in maintenance materials; a reduction of \$3,303 for motor vehicle parts and supplies; a \$6,452 reduction in professional and scientific supplies; a decrease of \$2,630 in office supplies; a \$25,437 decrease in housekeeping supplies; and a \$112,605 decrease in capital outlay expenditures.


House Subcommittee Recommendation


The House Subcommittee concurs with the Governor's recommendation, with the following adjustments:

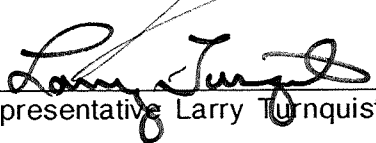
1. Reduce salaries and wages by \$22,485 to remove reclassifications for direct care workers. These reclassifications are no longer necessary due to the implementation of Phase III.
2. Reduce client salaries and wages by \$22,500. The Governor allocated \$106,000 for client salaries in the current year. The agency, however, has identified \$22,500 of this amount as more than needed for their present program. The Subcommittee notes with approval Parson's efforts to allow clients to participate in such meaningful on the job training as screen printing and gardening in addition to the Deli operation and janitorial programs already in place. The Subcommittee approves of the agency's negotiations with the city of Parsons to contract for client janitorial and gardening services, noting that completion of such contract could provide an additional income source to the residents. In light of this opportunity, the Subcommittee strongly urges SRS to request a special project account to be set up for the Institution to allow Parsons to separate and manage client funds.
3. Add \$34,029, including \$6,705 in fringe benefits, and 2 FTE positions for two new cooks. The Subcommittee was informed that the quality of food is suffering and cleaning is not up to standards. The addition of new cooks will cure these deficiencies and allow Parsons to continue a more normal family style dining situation for the clients.
4. Increase the expenditure limitation on the Parsons Fee Fund from \$551,368 to \$596,634, an increase of \$45,266 which will reduce the fee fund ending balance to \$71,086. The Subcommittee recommends that State General Fund expenditures be reduced by \$45,266.
5. The Subcommittee notes with concern the discrepancy between the pay for LPNs and the pay for direct care workers since the implementation of Phase III. An LPN position, which usually requires two years of training, is paid at Range 15 beginning at \$16,428 per year while direct care workers who receive approximately six weeks of formal training are paid at Range 16 or \$17,232 per year. The Subcommittee urges SRS to make a formal written request to the Department of Personnel as soon as possible, in conformance with K.A.R. 1-5-8, to increase all entry level LPNs and upgrade existing LPN positions to Range 15, Step D, which would approximate the salary of a direct care supervisor. The Subcommittee believes that unless this can be accomplished a nursing shortage could result which could jeopardize continued certification at the mental retardation hospitals, possibly resulting in loss of millions of dollars in federal Medicaid funds.

The Subcommittee is not including funding for these LPN step increases at this time; however, should Division of Personnel approve the request, the Subcommittee recognizes that an additional \$40,381 including \$4,165 in fringe benefits will be needed to fund these positions. The Subcommittee requests the Senate Subcommittee to carefully review this issue. If the Division of Personnel does not permit the step increases requested by SRS, consideration should be given, either by the Senate or in the omnibus bill, to providing additional money to fund nursing contracts in FY 1990.

6. The Subcommittee concurs with the Governor's Budget Amendment No. 1 which adds \$347,552 in funding from Title XIX and deletes the same amount from the State General Fund. The Subcommittee, however, strongly recommends that SRS change the current state Medicaid plan to allow recovery of prospective funds rather than continue with the current method of revising the plan at the end of each fiscal year. It is the understanding of the Subcommittee that the federal government has approved the recovery of prospective funds by other states and the Subcommittee sees no reason why Kansas is not able to do the same, which will allow the state to offset budgetary increases at the present time. A change in the state plan would enable the state to apply for "projected" status which would allow the state to receive federal funds for projected increases in operating costs, not only on an annual basis, but more frequently in response to budget changes. The Subcommittee directs SRS to research this issue and to inform the Senate Subcommittee of their findings.
  
7. The Subcommittee notes that the three mental retardation agencies are incorporated into H.B. 2028, the SRS bill. This bill allocated 7,991 FTE positions to SRS and does not itemize individual FTE positions for the three hospitals. The Subcommittee recommends that these three agencies be set up as a separate budget item with a separate FTE for each agency either in the same bill or in a different budget bill detached from SRS.

  
\_\_\_\_\_  
Representative Robert Vancrum  
Subcommittee Chairperson

  
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Representative John M. Solbach, III

  
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Representative Larry Turnquist

## SUBCOMMITTEE REPORT

Agency: Winfield State Hospital  
and Training Center  
Analyst: Duncan

Bill No. 2063  
Analysis Pg. No. 604

Bill Sec. 25  
Budget Pg. No. 644

<u>Expenditure Summary</u>	<u>Agency Req. FY 89</u>	<u>Governor's Rec. FY 89</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 11,341,237	\$ 14,038,880 <sup>a</sup>	\$ 325,646
General Fees Fund	938,919	938,919	--
Medicaid	13,111,982	13,111,982 <sup>a</sup>	--
Title I	61,162	61,162	--
Foster Grandparents	173,570	173,570	--
Subtotal	\$ 25,626,870	\$ 28,324,513	\$ 325,646
Capital Improvements:			
State Institutions			
Building Fund	55,549	26,297	--
Total	\$ 25,682,419	\$ 28,350,810	\$ 325,646
FTE Positions	985	985	985

a) Includes technical corrections itemized in the Governor's Budget Amendment No. 1 (a reduction of \$1,468,061 from Title XIX funding and an addition of the same amount from the State General Fund; and an addition of \$10,577 in salaries and wages from the State General Fund).

### Agency Request/Governor's Recommendation

For FY 1989, Winfield estimates revised expenditures of \$27,214,888 for state operations which includes two supplemental appropriations totaling \$1,867,547. Of this amount, \$279,529 appears in the agency's FY 1989 estimate in its original budget request. The supplemental request includes increases in the areas of freight (\$5,000); printing and advertising for recruitment purposes (\$2,000); rent for a chemical analyzer (\$19,529); additional money for professional contract fees (\$203,000); and increased funding for medical supplies and prescription drugs (\$50,000). Of the remaining \$1,588,018, \$1,303,793 is requested for nursing consultant services which are intended to provide nursing coverage sufficient to meet HCFA standards; \$209,696 for overtime for nursing and direct care staff; \$51,521 for additional professional and scientific supplies; \$16,681 for costs incurred in finding and repairing a broken sewer line; and \$4,047 for overtime for maintenance personnel. Not included in the state operation expenditures are two additional supplemental requests of \$7,927,553 to offset federal funds needed for the "payback" to the federal government for funds which were paid to the agency during the decertification period and \$55,549 for capital improvements.

The Governor recommends \$28,324,513 for state operating expenditures in FY 1989, an increase of \$1,109,625 over the revised agency request. Included in state operating expenditures is approximately \$1,551,724 for the two supplemental requests.

HA  
3-6-89  
Attachment 4

House Subcommittee Recommendation


The House Subcommittee concurs with the recommendations of the Governor, with the following adjustments:

1. Add \$114,000 in salaries and wages to supplement a continuing deficiency in funding for direct care trainee salaries. Although Winfield is funded \$707,616 in FY 1989 for approximately 63 trainees (due to 50 percent turnover among trainees), the agency has actually utilized and paid \$2,914,849 for 221 ongoing trainee positions throughout the current fiscal year, resulting in a budget shortfall of \$2,076,324. Direct care trainees are potential Mental Retardation Technicians I, the entry level for direct care workers. Currently, Winfield is budgeted for 489.5 direct care workers. Vacancies in direct care fluctuate on an almost daily basis between 50-90 FTE. Turnover for direct care workers in FY 1988 was 54.8 percent; FY 1989 turnover statistics show no significant improvement, although the agency projects that turnover will drop by FY 1990 due to stabilization resulting from changes in the structure of the trainee program and the recent implementation of Phase III. Direct care trainees are funded positions which are not included in the agency's FTE. These trainees are not allowed to step into the FTE position until they complete the six week course provided by the agency. Trainees receive salary and fringe benefits commensurate to direct care workers with the exclusion of health insurance and KPERS. The agency is funding the majority of the trainee positions from position vacancies.
2. Add \$158,000 for contractual nursing services. The Subcommittee learned that Winfield has 9 LPN and 11 RN position vacancies, and notes with concern the 47 percent turnover among the 32 nurses recruited in the current year. The Subcommittee recognizes the agency's difficulties in hiring qualified nurses, in particular LPNs; especially after the implementation of Phase III. An LPN position, which usually requires two years of training, is currently paid at range 15 (\$16,428 per year) while direct care workers, who receive approximately six weeks of formal training are paid at range 16 (\$17,232 per year). The Subcommittee is not only concerned with the inequity in the pay of these positions, but also with the alarming number of LPN vacancies at these institutions. The Subcommittee urges SRS to make a formal written request to the Division of Personnel as soon as possible, in conformance with K.S.A. 1-5-8, to increase all entry level LPNs and upgrade existing LPN positions to Range 15, Step D, which would approximate the salary of a direct care supervisor. The Subcommittee believes that unless this can be accomplished, a nursing shortage could result which would jeopardize continued certification at the mental retardation hospitals and possibly result in a loss of millions of dollars in federal Medicare funding.

The Subcommittee is not including funds for these LPN step increases, however, should Division of Personnel approve SRS's request, the Subcommittee recognizes that an additional \$23,943, which includes \$2,563 in fringe benefits, will be needed to fund these positions for the remaining four months of FY 1989. The Subcommittee requests the Senate to carefully review this issue. If the Division of Personnel does not permit the step increases requested by SRS, consideration should be

given to providing additional money to fund nursing contracts in FY 1990, either in the Senate or the omnibus bill.

3. Add \$27,600 in state operating expenditures for professional contractual services to fund an existing contract for dietitian services.
4. Add \$26,046 in state operating expenditures for professional contractual services to fund an existing contract for two half-time pharmacists. The Subcommittee recognizes that an entry level pharmacy position is paid at range 24, \$29,923 annually, which includes \$4,471 in fringe benefits. Information obtained from the agency indicates that this pay range is not competitive with the private sector, making it difficult for Winfield to hire full-time pharmacists. The Subcommittee urges SRS to make a formal written request to the Division of Personnel as soon as possible, in conformance with K.A.R. 1-5-8, to increase all entry level pharmacy positions to enable the agency to fill the existing FTE position and to discontinue the use of contracts to fill this professional position.
5. The Subcommittee concurs with the technical correction in the Governor's Budget Amendment No. 1 adding \$10,577 in salaries and wages from the State General Fund.
6. The Subcommittee concurs with the Governor's Budget Amendment No. 1 which adds \$1,468,061 to the State General Fund and reduces the same amount from the Title XIX fund. The Subcommittee, however, strongly recommends that SRS change the current state Medicaid plan to allow recovery of prospective funds rather than continue with the current method of revising the plan at the end of each fiscal year. It is the understanding of the Subcommittee that the federal government has approved the recovery of prospective funds by other states and the Subcommittee sees no reason why Kansas is not able to do the same, which will allow the state to offset budgetary increases at the present time. A change in the state plan would enable the state to apply for "projected" status which would allow the state to receive federal funds for projected increases in operating costs, not only on an annual basis, but more frequently in response to budget changes. The Subcommittee directs SRS to research this issue and to inform the Senate Subcommittee of their findings.
7. The Subcommittee notes the agency's request that a technical correction be made to include an additional \$43,685 in Phase III funding. The Subcommittee directs SRS to review the agency's request to make a determination as to whether it should be included in a Governor's Budget Amendment.
8. The Subcommittee notes the agency's request for \$25,000 to fund the remodeling of Fern Building. The remodeled building would be used to provide day programming space for Winfield's clients. While approving of the proposed use of the building, the Subcommittee believes that a recommendation on funding should be deferred until the Joint Committee on State Building Construction has reviewed the request.

  
\_\_\_\_\_  
Representative Robert Vancrum  
Subcommittee Chairperson

  
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Representative John M. Solbach, III

  
\_\_\_\_\_  
Representative Larry Turquist

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24-4



**SUBCOMMITTEE REPORT**

Agency: Winfield State Hospital  
and Training Center

Bill No. 2028

Bill Sec. 2

Analyst: Duncan

Analysis Pg. No. 604

Budget Pg. No. 644

<u>Expenditure Summary</u>	<u>Agency Req. FY 90</u>	<u>Governor's Rec. FY 90</u>	<u>Subcommittee Adjustments</u>
<b>State Operations:</b>			
State General Fund	\$ 16,574,853	\$ 12,864,647 <sup>a</sup>	\$ 399,755
General Fees Fund	900,000	935,173	--
Medicaid	13,111,982	16,815,400 <sup>a</sup>	--
Title I	61,162	61,162	--
Foster Grandparents	180,197	180,197	--
Subtotal	<u>\$ 30,828,194</u>	<u>\$ 30,856,579</u>	<u>\$ 399,755</u>
<b>Capital Improvements:</b>			
State Institutions			
Building Fund	\$ 723,300	\$ 0	\$ --
TOTAL	<u>\$ 31,551,494</u>	<u>\$ 30,856,579</u>	<u>\$ 399,755</u>
<b>FTE Positions</b>	1,090.5	1,005.0	(1.5)

- a) Reflects technical changes indicated in Governor's Budget Amendment No. 1 (a reduction of the State General Fund by \$1,468,061 and an addition in the same amount from Title XIX; an addition of \$8,215 in salaries and wages from the State General Fund; and an addition of \$8,214 in salaries and wages from Title XIX funds.)

Agency Request/Governor's Recommendations

The agency requests \$30,828,194 for FY 1990 for state operations, a reduction of \$4,425,345 (12 percent) from the FY 1989 revised agency estimate. Major items requested for Winfield in FY 1990 are 105.5 new positions and a continuation of nursing and professional care contracts totaling \$2,715,406.

For FY 1990, the Governor recommends \$30,856,579 for operating expenditures, an increase of \$28,385 over the agency request. Compared to the agency request, the recommendation is an increase of \$1,359,520 for salaries and wages; a \$4,398 decrease in communications; a \$9,970 decrease in printing and advertising; a 47,140 decrease in rents; a decrease of \$8,769 from the special education contract; a \$413,038 reduction in professional services; a \$4,122 increase in clothing; a \$49,945 reduction in food; an \$8,509 decrease in maintenance materials; a \$5,170 decrease in motor vehicle parts and supplies; a \$17,172 increase in professional and scientific supplies; a \$9,605 reduction in office supplies, a \$7,731 reduction in housekeeping supplies; and an \$828,154 decrease in capital outlay expenditures.

House Subcommittee Recommendations

The House Subcommittee concurs with the Governor's recommendations with the following adjustments:

1. Add \$7,100 for repairing and servicing from state operating expenditures for maintenance contracts.
2. Add \$225,167 which includes \$18,383 in fringe benefits to provide funding for 12 additional direct care trainees, bringing funding for direct care trainees to \$932,783 for approximately 75 trainee positions. The Subcommittee notes that the Commissioner of Mental Health and Retardation Services believes that 100 trainee positions are necessary to adequately fill vacancies in direct care. Current turnover rate in direct care is approximately 50 percent for trainees and 54.8 percent for direct care workers. The agency believes that 75 trainees are at the low end of the scale. It has expressed concern that it might not be able to fill position vacancies; however, the agency agrees with the Subcommittee's belief that the implementation of Phase III should have a major positive effect on direct care turnover. Therefore, the agency is willing to try to reduce its current staff of 221 trainees to 75. The Subcommittee recommends that SRS carefully study trainee turnover rates in the institutions paying particular attention to the reasons behind employee turnover. The Subcommittee notes with concern Winfield's difficulty retaining trained direct care employees and recommends that SRS implement a contract requiring employees who enroll for training to pay back some or all identifiable training costs if they leave the hospital before a certain date.
3. The Subcommittee considered the testimony at the agency hearing concerning the addition of 14 FTE Mental Retardation Technician I positions. The Subcommittee notes that between 60-90 direct care vacancies exist at the agency and it sees no reason to add new positions until it is clear that Winfield will be able to fill the existing direct care vacancies. It is the hope of the Subcommittee that the Phase III upgrade in salaries coupled with the agency's new training program will enable the agency to complete this task. The Subcommittee recommends that if current direct care vacancies are filled and the agency can demonstrate a need for these additional FTE positions, that the agency apply for a supplemental appropriation in FY 1990.
4. Add \$76,689 in salaries and wages for employee overtime. The Subcommittee agrees with Winfield's plan to lower contractual nursing costs by implementing a volunteer overtime program for staff nurses.
5. Add \$250,000 in state operating expenditures to fund contractual nursing services. The Subcommittee notes that contractual nursing services for the current fiscal year will amount to approximately \$1,300,000. The Subcommittee further notes that the Governor did not recommend any funding for contractual nursing services in FY 1990. It is the Subcommittee's understanding that the Governor purposely did not provide this funding to encourage the agency to fill their nursing position vacancies.

The Subcommittee notes with concern the agency's difficulties in hiring qualified nurses, in particular LPNs; especially after the implementation of Phase III. An LPN position, which usually requires two years of training, is currently paid at Range 15 (\$16,428 per year) while direct care workers, who receive approximately six weeks of formal training are paid at range 16 (\$17,232 per year). The Subcommittee is not only concerned with the inequities in the pay for these positions but also with

the alarming number of nurse vacancies at Winfield. The Subcommittee urges SRS to make a formal written request to the Division of Personnel as soon as possible, in conformance with K.A.R. 1-5-8 to increase all entry level LPNs and upgrade existing LPN positions to Range 15, Step D, which would approximate the salary of a direct care supervisor. The Subcommittee believes that unless this can be accomplished, a nursing shortage could result which would jeopardize continued certification at the mental retardation hospitals resulting in a loss of millions of dollars in federal Medicaid funding.

Although the nursing vacancies at Winfield consist of nine LPN and 11 RN positions, the agency advised the Subcommittee that they believe all 20 positions could be filled with LPNs providing step increases are approved. The Subcommittee agrees with the hiring of LPNs for the vacant RN positions providing HCFA certification can be maintained. In addition, the hiring of staff nurses would provide a substantial savings to the institution since the current annualized cost of contractual nursing services is approximately \$60,000 per nurse; \$41,034 higher than an LPN than a range 15, step D LPN salary.

The Subcommittee is not including funds for LPN step increases, however, should Division of Personnel approve SRS's request, the Subcommittee recognizes that an additional \$71,516 (including fringe benefits and a 4 percent salary increase) will be needed to fund these positions. The Subcommittee requests the Senate Subcommittee to carefully review this issue. If the Division of Personnel approves these step increases and the agency is successful in recruiting, then Winfield may not need the \$250,000 in contract nursing services. The Subcommittee in recommending this amount is providing one quarter of \$1,000,000 the agency estimates it will need for contract nursing services in FY 1990.

6. Add \$26,046 in state operating expenditures to continue funding for the two half-time contractual pharmacists. Although the Subcommittee normally frowns upon contractual services, in this instance there is a slight savings by contracting for this service.
7. Delete \$45,170 in salaries and wages which includes \$6,992 in fringe benefits, and 1.5 FTE pharmacy positions due to extended position vacancies and an ongoing contract for pharmacy services.
8. Increase turnover from 6.23 to 6.75 resulting in a reduction of \$140,077 from the State General Fund.
9. The Subcommittee concurs with the technical correction in the Governor's Budget Amendment No. 1 which adds \$8,215 in salaries and wages from the State General Fund and \$8,214 in salaries and wages from the Title XIX fund.
10. The Subcommittee notes the agency's request for \$25,000 to complete the remodeling of Fern Building. The remodeled building would be used to provide day programming space for Winfield's clients. While approving the proposed use of the building, the Subcommittee believes that a

recommendation on funding should be deferred until the Joint Committee on State Building Construction has reviewed the request.

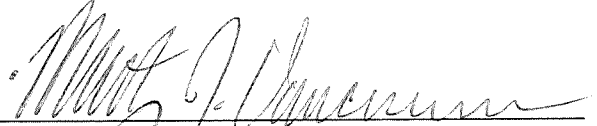
11. The Subcommittee is aware of the agency's difficulties in recruiting a registered dental hygienist to fill the classified position at range 16, the same range as an entry level direct care worker. The Subcommittee learned that Winfield currently, by contract, pays a dental hygienist a \$40,000 salary. The Subcommittee notes with concern the fact that this, and other similar contracts, were entered into without the approval or consent of the Legislature, however the Subcommittee is sympathetic to the agency's need to fill positions that may be critical to certification. The Subcommittee researched the issue of hygienist salaries and learned that the average dental hygienist salary in Wichita is between \$33,000 and \$36,000, not including fringe benefits. The Subcommittee recommends that the Winfield dental hygienist contract be limited to \$35,000.

The Subcommittee notes that, like LPNs, registered dental hygienists usually require two years of training to obtain their certification. The Subcommittee recommends that SRS pursue a new position classification for dental hygienists pending a market study by the Division of Personnel.


12. The Subcommittee notes that the agency's dentist is currently paid \$55,797, including \$7,809 in fringe benefits, which is at the top of range 31. The Subcommittee recommends that a separate line item be established for this position and, that because of the agency's difficulties in recruiting dentists (due in part to the type of residents at Winfield and the geographical location of the hospital) the agency offer a contract to the dentist in the amount of \$60,000.
13. The Subcommittee concurs with the Governor's Budget Amendment No. 1 which adds \$1,468,061 to the Title XIX and reduces the same amount from the State General Fund. The Subcommittee, however, strongly recommends that SRS change the current state Medicaid plan to allow recovery of prospective funds rather than continue with the current method of revising the plan at the end of each fiscal year. It is the understanding of the Subcommittee that the federal government has approved the recovery of prospective funds by other states and the Subcommittee sees no reason why Kansas is not able to do the same, which will allow the state to receive federal funds for projected increases in operating costs, not only on an annual basis, but more frequently in response to budget changes. The Subcommittee directs SRS to research this issue and to inform the Senate Subcommittee of their findings.
14. The Subcommittee requests the State Architect to survey the three unused buildings at the institution to make a recommendation as to whether the buildings should be razed or renovated. The Subcommittee notes that a perceived struggle exists between the Department of Corrections and the Hospital over possession and use of these buildings. The Subcommittee believes that the mission of Winfield State Hospital and Training Center should not be allowed to be overshadowed by the state's quest for additional prison space.

4-7

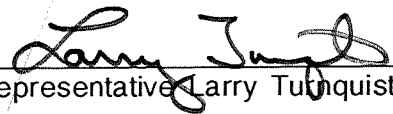
15. The Subcommittee notes that the three mental retardation agencies are incorporated into H.B. 2028, the SRS bill. This bill allocates 7,991 FTE positions to SRS and does not itemize individual FTE positions for the three hospitals. The Subcommittee recommends that these three agencies be set up as a separate budget item with a separate FTE for each agency, either in the same bill or in a different budget bill detached from SRS.



Representative Robert Vancrum  
Subcommittee Chairperson



Representative John M. Solbach III



Representative Larry Turquist

Proposed Amendment to K.S.A. 19-1033 To Require  
A Coroner's Autopsy Report Be Supplied To A Hospital

K.S.A. 19-1033. Same; autopsy, when; fees and travel allowances; specimens; retention of pituitary gland; record and report to coroner and clerk of the district court; exhumation and autopsy. If, in the opinion of the coroner, it is advisable and in the public interest that an autopsy be made, or if an autopsy is requested in writing by the county or district attorney, such autopsy shall be made by the coroner or by such competent pathologist or other licensed physician as may be designated by the coroner for the purpose. A person performing an autopsy, at the request of a coroner, shall be paid a usual and reasonable fee to be allowed by the board of county commissioners and shall be allowed and paid the travel allowance prescribed for coroners and deputy coroners in accordance with the provisions of K.S.A. 19-1028, the same to be paid by the board of county commissioners of the county in which the cause of death occurred. The person performing the autopsy shall remove and retain, as long as necessary, such specimens as appear to be necessary in the determination of the cause and circumstances of death. Unless the next of kin of the decedent specifically prohibits the retention of the pituitary gland of the decedent, the person performing the autopsy may remove and retain the pituitary gland of the decedent for use in scientific investigation, research, teaching and the practice of medicine.

A full record and report of the facts developed by the autopsy and findings of the person making such autopsy shall be promptly made and filed with the coroner and with the clerk of the district court of the county in which decedent died.; if the decedent was a patient in a medical care facility as defined in K.S.A. 65-425(h) at the time of death a copy of the record and report of the autopsy and findings of the person making such autopsy shall be supplied by the coroner to the medical records department of such medical care facility at the same time said record and report is filed with the clerk of the district court. If, in any case in which this act requires that the coroner be notified, the body is buried without the permission of the coroner, it shall be the duty of the coroner, upon being advised of such fact, to notify the county or district attorney, who shall communicate the same to a district judge, and such judge may order that the body be exhumed and an autopsy performed.

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HA  
3-6-89  
Attachment 5