

Approved 2-7-89  
Date

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS

The meeting was called to order by SENATOR AUGUST "GUS" BOGINA at  
Chairperson

11:10 a.m./~~PM~~ on JANUARY 23, 1989 in room 123-S of the Capitol.

All members were present except:

Senators Doyen and Johnston, who were excused.

Committee staff present:

- Research Department: Diane Duffy, Kathy Porter
- Revisor: Norman Furse
- Committee Staff: Judy Bromich, Pam Parker

Conferees appearing before the committee:

INTRODUCTION OF BILLS

Senator Hayden moved, Senator Allen seconded, the introduction of a bill concerning the Kansas development finance authority, relating to the issuance of bonds for loans to certain community mental health, mental retardation and drug and alcohol abuse services providers. The motion carried.

Winston Barton, Secretary, presented an overview of the Department of Social and Rehabilitation Services (SRS). He distributed and reviewed copies of an SRS central office organization chart dated December 18, 1988. (Attachment 1) He noted that they have 12,000 employees at SRS, of which 8,000 are full time equivalent employees.

Secretary Barton briefly reviewed the Governor's budget recommendations for SRS. He stated in FY 1989 SRS will spend approximately \$862 million on all of their programs, including the institutional programs. The state portion of that will be about \$428 million in FY 1989 and the Governor is recommending an increase of about \$30 million in FY 1990. He explained that the largest area of expenditure is in the Medical Assistance program on which they will spend about \$325 million in FY 1989. The Medicaid program is matched with about 55 percent federal dollars as is the Aid to Families with Dependent Children (AFDC).

In regard to KanWork, Secretary Barton reported the addition of Butler, Ford and Wyandotte Counties to the program. It will take about \$4 million to implement the program in those counties and there will be an increase of about 50 positions.

Secretary Barton reported a major change in hospital reimbursements by SRS in using state Diagnostic Related Groups (DRG). This is an attempt to reimburse hospitals at rates nearer to their actual costs. The Governor has recommended \$9.8 million for this program, of which \$5 million will be federal funds. The state's three DRG's will not be the same as the federal DRG's and he feels the rural hospitals will benefit most from this program.

In regard to the mental retardation waiting list, Secretary Barton stated that the Governor's recommendation for FY 1990 would allow the addition of 200 from the community MR waiting list. In answer to a question, Rick Schultz, Director of Mental Retardation Placements, stated that funds appropriated from the 1988 session allowed for the placement of 125 from the

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 11:10 a.m./~~p.m.~~ on JANUARY 23, 199.

waiting list and to date they have been able to place all of the institutional clients and they are currently in the process of starting the awards for the final clients in the communities. He stated the funding was available for less than a full year. The recommendation by the Governor for FY 1990 contains funding for less than six months.

In response to questions, inequities and disincentives in SRS programs were discussed, i.e., foster care, housing differentials in AFDC, KanWork. Secretary Barton pointed out increased recommendations by the Governor in various areas. He also pointed out the fact that when there is a crisis or need in one area which requires funding, another area of the budget must give up some funds in order to stay balanced.

In answer to a question, Mr. Barton stated that the supplemental request from SRS for FY 1989 is in the amount of \$12 million with the majority for medical assistance.

Secretary Barton responded to a question by stating that he has asked the Acting Superintendent at Topeka State Hospital (TSH) to have that institution certified by the Health Care Finance Administration (HCFA) by March 1, 1989. It is costing the state \$400,000 per month until TSH is certified. These are funds which cannot be returned to the state following certification.

The Chairman called attention to written information submitted to each member of the Committee which includes a "Warning to Parents and Step-Parents" and a letter dated November 18, 1988 from Thomas S. White. (Attachment 2)

The meeting was adjourned at 11:50 a.m.



SRS CENTRAL OFFICE ORGANIZATION CHART

12/18/88

STATE OF KANSAS  
Governor Mike Hayden

SRS SECRETARY  
Winston Barton

Administrative Asst.  
Margaret Ortiz 3274

Office of General Counsel  
Tim Owens 3967

Area Office Coordinator  
Mike VanLandingham

Public Information Director  
Ann Rollins 3273

KanWork  
Dennis Baker 4300

Office of Policy  
Ben Coates 3765

Human Resources  
Thelma Hunter Gordon 3273

Administrative Hearings  
Carol Foreman 2433

Civil Rights/EEO  
Gene Wilson 4766

Personnel  
Jack Rickerson 6775

Staff Development  
vacant 4327

<b>MENTAL HEALTH/RETARDATION SERV.</b>	
Al Nemeo, Comm.	3773
Special Asst. to Comm. George Vega	3471
MH Programs Mani Lee, Dir.	3471
MR Programs vacant, Dir.	3471
Program Administration Gary Blank, Dir.-MH Rick Shultz, Dir.-MR	3561 3561
KS Planning Council on Develop. Disabilities--John Kelly	2608
Management and Budget Bob Clawson	3536
State Institutions	KANS-A-N #
KS Neurological Inst. Supt.-Ann Marshall-Levine	561-5301
Larned State Hospital Supt.-George Getz	565-8360
Osawatomie State Hospital Supt.-Norma Stephens	567-3524
Parsons State Hosp. & Trg. Ctr. Supt.-Gary Daniels	566-1720
Rainbow Mental Health Facility Supt.-Jack Southwick	565-6258
Topeka State Hospital Act. Supt.-Norma Stephens	561-4222
Winfield State Hosp. & Trg. Ctr. Supt.-Wm. A. Lybarger	567-4218

<b>YOUTH SERVICES</b>	
Robert Barnum, Comm.	3284
Children in Need of Care Jan Waide, Dir.	3282
Juvenile Offender Prog. Jim Traust, Dir.	4648
Prog Eval./Grants Dave O'Brien	4649
Fiscal Management David Scott	4633
Youth Centers	KANS-A-N #
Youth Center at Atchison Supt.-Philip Knapp	566-6300
Youth Center at Beloit Supt.-Denise Shumate	565-0110
Youth Center at Larned Dir.-Maxine Vaughan	565-8920
Youth Center at Topeka Act. Supt.-Denise Shumate	561-7701

<b>ADULT SERVICES</b>	
Jan Allen, Comm.	295-9521
Administration and Community Services Janet Schalansky, Dir.	295-9521
Community Based Serv. Marlene Finney	295-9521
Budget, Adm. & Data Mgmt. Sandy Manning	295-9521
Economic Opport. Prog. Norma Phillips	295-9521
Quality Control John Ulmer	295-9521
KanWork/Job Preparation Prog. Marjorie Byington, Dir.	295-9521
Phyllis Lewin	295-9521
Lois Martin	295-9521
Child Care Irene Davis	295-9521
Fiscal Ron Tannehill	295-9521
Operations Larry Ure	295-9521
Adult Care Home Program Jack Gumb, Dir.	295-9521
ACH Reimbursement Bill McDaniel	295-9521
Inspection of Care Pat Hall	295-9521
Evelyn McCormick	295-9521

<b>INCOME MAINT. &amp; MEDICAL SERV.</b>	
John W. Alquest, Comm.	6750
Income Maintenance Carla Nakata, Director	2970
Policy Robin Smith	3374
Special Programs Phil Gutierrez (Refugee) Gerald Schoenecker (Food Dist.) Kathy Valentine (LIEAP; Housing)	3349 3349 3349
Medical Programs Kathryn Klassen, Dir.	3981
Medical Coordinator Elaine Hacker, M.D.	3981
Phys. & Hosp. Svc. Joyce Sugrue	3981
Special Services & Prog. Katie Hauck	3981
Financial Accountability Debra Rosacker	3981
Management Services John Schneider, Dir.	6750
Corrective Action Mike Sweeney	2737
Quality Control Dale Barnes	3666

<b>REHABILITATION SERVICES</b>	
Gabe Faimon, Comm.	3911
KS Comm. f/t Deaf & Hrg. Impaired David Rosenthal	2874
Client Assistance Program Susan Tabor	1491
Disabil. Determin. & Refer. Serv. Glen Yancey	6600
Kansas Voc Rehab Center Pat Mitchell	913-827-9356
Vocational Rehab Unit Frank Hoge	913-232-2264
Managemt. Information System Joan Lewerenz	3911
Chief of Staff Operations Steve Schiffelbein	3911
Client Services Don Chronister	3911
Div. of Services f/t Blind Richard Schutz, Dir.	4454
VR Field Services-Blind David Wright	4454
Rehab. Teaching Jayne Frost	4454
Blind Enterprises Prog. Robert Sheldon	4451
Rehab Ctr. f/t Blind-KIB Suzannah Erhart	3311

<b>ALCOHOL &amp; DRUG ABUSE SERVICES</b>	
Andrew O'Donovan, Comm.	3925
Research, Prog. Devl. & Trng Cynthia Breitenbach, Dir.	3925
Research Larry Hinton	3925
Organiz. & Research Cons. David Palmer	3925
Public Information Cons. Judith Whitworth	3925
Program Develop. & Trng Richard Ellis	3925
Program Devel. & Trng Cons. Jim Schalansky	3925
Program Devel. & Trng Cons. Kate Ames-Oliver	3925
Licensure and Monitoring Mike Flyzik, Dir.	3925
Licensure David Chapman	3925
Monitoring Percy Sillin	3925
Monitoring Consultant Ron Miller	3925
Monitoring Consultant Larry Huey	3925

<b>ADMINISTRATIVE SERVICES</b>	
J. Santford Duncan, Comm.	3272
General Services Herman Hafenstein, Dir.	3241
Off. of Facilities Mgmt. Dixie Kastner	2067
Budget Office Chris Stanfield	6216
Audits Gary Weidenbach	3836
Information Resources Ric Racine	3877
Child Support Enforcement Jim Robertson	3237
CAECSES Cheryl Weber	2319
Planning and Research Ann Allsbury	3877

Area Directors

<b>NUTE</b>	<b>EMPORIA</b>	<b>GARDEN CITY</b>	<b>HAYS</b>	<b>HIAWATHA</b>	<b>HUTCHINSON</b>	<b>KANSAS CITY</b>	<b>MANHATTAN</b>	<b>OLATHE</b>	<b>OSAWATOMIE</b>	<b>PARSONS</b>	<b>PITTSBURG</b>	<b>PRATT</b>	<b>SALINA</b>	<b>TOPEKA</b>	<b>WICHITA</b>	<b>WINFIELD</b>			
Lauren Harrod	Joe Myers	Dale Barnum	Gene Dawson	Orveda Anderson	Gary Nelson	Arthurine Crieowell	Floridie Pettis	Mike VanLandingham	James Wann	O.D. Sperry	Herbert Hickman	Gary Dalton	David Jacobs	Faith Spencer	Carolyn Hill	Billie Orr			
566-1400	567-8280	566-6500	565-0370	567-8418	567-3200	565-4110	565-0600	566-1210	567-8110	567-8585	567-8590	567-8610	567-6110	561-2500	565-5300	567-8655			

ATTACHMENT 1  
SWAM 1-23-89

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SWAM 1-23-89

## WARNING TO PARENTS AND STEP-PARENTS

ANONYMOUS AND MALICIOUSLY FALSE TELEPHONE AND WRITTEN REPORTS OF CHILD ABUSE AND NEGLECT ALLEGATIONS TO "SRS" ACCUSING INNOCENT NATURAL AND STEP-PARENTS ARE BEING MADE IN ALARMING NUMBERS.

IF YOU ARE ACCUSED IN SUCH A REPORT, YOUR RESPONSE MAY DETERMINE WHETHER YOU KEEP YOUR CHILD OR CHILDREN OR LOSE THEM, AND WHETHER OR NOT YOU WILL BE PROSECUTED AS AN ACCUSED FELON. SURVIVAL RULES INCLUDE:

(1) NEVER TALK WITH OR ANSWER QUESTIONS FROM AN SRS INVESTIGATOR OR SOCIAL WORKER, EITHER IN PERSON OR BY PHONE. ASK THEM TO LEAVE; OR HANG UP AND CALL YOUR ATTORNEY OR LEGAL AID FOR ADVICE.\*

(2) IF SRS SEIZES YOUR CHILD OR CHILDREN AT SCHOOL OR ELSEWHERE, WHEN SRS NOTIFIES YOU OF THIS (IT MAY BE SEVERAL DAYS), HANG UP PROMPTLY IF NOTIFICATION IS BY PHONE, OR ASK THEM TO LEAVE IF NOTIFICATION IS IN PERSON, AND CALL OR SEE YOUR ATTORNEY FOR ADVICE.

(3) ALWAYS GO TO THE TEMPORARY CUSTODY HEARING, BUT ALWAYS HAVE AN ATTORNEY REPRESENT YOU AT THE HEARING. DO NOT TRY TO REPRESENT YOURSELF, AND LET NO ONE MISLEAD YOU THAT YOU MIGHT SUCCESSFULLY DO SO.

(4) IF SRS IS AWARDED TEMPORARY CUSTODY OF YOUR CHILD OR CHILDREN, NEVER SIGN ANYTHING WITHOUT THE SPECIFIC APPROVAL OF YOUR ATTORNEY FOR EACH DOCUMENT. NEVER, FOLLOWING THE TEMPORARY CUSTODY HEARING, OR AT ANY TIME THEREAFTER, TALK TO ANY EMPLOYEE OF SRS OR TO ANY OTHER PERSON, EXCEPT YOUR SPOUSE, WITHOUT YOUR ATTORNEY PRESENT AS A WITNESS, AND TO ADVISE YOU; AND EXCEPT FOR YOUR VOCAL COUNSELOR (SEE BELOW).

(5) NEVER ADMIT ANYTHING TO ANYONE, EVEN IF YOU OR YOUR CHILD ARE THREATENED (YOU PROBABLY WILL BE). ANYTHING YOU SAY CAN AND WILL BE USED AGAINST YOU IN COURT AND ADMINISTRATIVE PROCEEDINGS. DO NOT SAY ANYTHING TO ANYBODY AT ANY TIME EXCEPT WHAT YOUR ATTORNEY ADVISES YOU TO SAY, AND WITNESSES YOU SAYING.

(6) REMEMBER THAT YOU ARE A VICTIM OF A FALSE AND MALICIOUS ACCUSATION, NOT A PERPETRATOR. YOU HAVE NOTHING TO BE ASHAMED OF, AND HAVE EVERY REASON TO BE OUTRAGED AND TO DEFEND YOURSELF.

(7) CONTACT YOUR STATE REPRESENTATIVE, AND YOUR STATE SENATOR FOR HELP.

(8) CALL VOCAL (VICTIMS OF CHILD ABUSE LAWS) AT 316-283-1785 OR 316-283-3597 FOR SUPPORT AND FURTHER IMPORTANT ADVICE.

\* To locate an attorney, call Lawyer Referral Service, Kansas Bar Association, 1-800-432-3593.

November 18, 1988

To Whom it May Concern:

Recommendations of the Commission on Families and Children range from the commendable to the dangerous. Expansions in preventive, family support, and preservation programs are on target. The appointment of a special prosecutor in the Attorney General's Office to help County Attorneys and courts process accused abuse/neglect cases would be like appointing a K. State coach to help Larry Brown's staff coach K.U. Basketball, and just about as welcome. The creation of a state-wide SRS abuse/neglect hotline would so encourage anonymous, false, and/or malicious reports as to overload the investigative system to the extent as to both endanger innocent families and make impossible the identification and investigation of founded complaints. The expansion of confidentiality of reports and immunity of complainants and the disability of the accused to face their accusers in the tribunal is a shockingly dangerous precedent. Even now, whispers in the night from pay phones bring to countless Kansas parents, and may bring to you, family, financial, and social ruin. Ours is an era in which otherwise fair and rational prosecutors and august courts are sorely afflicted with a prejudicial witch hunt hysteria in abuse/neglect proceedings. Prosecutors take judgemental roles, Judges prosecutorial ones, the Devil takes the accused, and SRS takes their children: The public takes both the bull and the bill, and the abundantly self-righteous "child advocacy groups" and self-serving (not child-serving) SRS bureaucrats must take the blame. Disadvantaged and accused families under stress and receiving SRS "protective services" (paroxysms permitted) desperately need adequate representation on their "day in court." We should ask and hope for considerable caution in the selective implementation by the Governor and Legislature of the Commission's proposals. In the meantime, there is help for the falsely accused through VOCAL (Victims of Child Abuse Laws). Contact me anonymously and I will refer you.

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