

Approved 3-2-92
Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by SENATOR ROY M. EHRLICH at
Chairperson

10:00 a.m./p.m. on February 25, 1992 in room 526-S of the Capitol.

All members were present except:

Committee staff present:

Emalene Correll, Legislative Research
Norman Furse, Revisor's Office
Jo Ann Bunten, Committee Secretary

Conferees appearing before the committee:

Senator Audrey Langworthy
Terri Lee Buek, Kansas Chapter, American Red Cross
Gigi Felix, National Association of Social Workers, Inc.
Bill Cutler, Aging Network Specialist, Department on Aging
Beatrice Shisler, East Central Kansas Area Agency on Aging

Chairman Ehrlich called the meeting to order at 10:00 a.m.

The Chairman called for consideration of the minutes of February 18, 19 and 20, 1992. Senator Burke made the motion to approve the minutes as presented, seconded by Senator Walker. The motion carried.

The Chairman announced continuation of hearing on SB 647. No Proponents or opponents appeared.

Hearing on:

SB 636 - Disaster service volunteer leave authorized.

Senator Langworthy submitted written testimony on SB 636 and stated the bill is very similar to a bill passed in Illinois. The bill would authorize paid leave for any state employee who is a certified disaster service volunteer of the American Red Cross to participate in disaster relief operations designated at Level II and above. Kansas has an extensive emergency management system, however, the state does not have statutory authority to establish a policy or personnel regulation to allow paid leave for state employees to perform Red Cross volunteer disaster work. Under KSA 48-925(c)(2), during a state of disaster emergency, the Governor may utilize all available resources of the state government and each political subdivision as reasonably necessary to cope with the disaster. Currently, the Division of Personnel Services has allowed disaster volunteers to use accumulated vacation leave or compensatory credits in accordance with Kansas Administrative Regulation 1-9-4. (Attachment 1) Senator Langworthy read testimony from Nancy Echols, Director of Personnel Services, in support of the bill. Ms. Echols stated implementation of SB 636 and personnel regulations would allow the state to be proactive in responding to disaster emergencies. (Attachment 1a)

Terri Lee Buek, Kansas Chapter, American Red Cross, submitted written testimony and appeared in support of SB 636. Ms. Buek stated the bill would allow Red Cross trained state employees a release from their work in order to assist disaster victims in Kansas and neighboring states. The Red Cross is the coordinator of VOAD (Voluntary Organization Active in Disaster) made up of

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE

room 526-S Statehouse, at 10:00 a.m./p.m. on February 25, 1992.

volunteers from the Salvation Army, Mennonites, and Southern Baptist Convention to mention a few, that respond to a disaster. During Committee discussion, Ms. Buek stated the Red Cross provides "Leveling" classifications of I to V, and a Level II operation is a disaster that would cost the organization \$10,000 or more, such as the El Dorado tornado last April. Between an 11 year span, there have been 22 Level II operations in the state of Kansas. Red Cross is requesting this bill because of being the only volunteer organization with a federal mandate. *(Attachment 2)*

Gigi Felix, National Association of Social Workers, Inc., submitted written testimony in support of **SB 636** and stated the intent of the language on line 34 of the bill would release employees for disaster work within our state or within the contiguous states. Ms. Felix suggested striking the word "and" and inserting the word "or" on line 34. *(Attachment 3)* It was noted by staff that the basic definition of state agency as addressed in the bill is one that is defined in the Department of Administration Act.

Final action:

The Chairman asked for wishes of the Committee on **SB 636**. Senator Langworthy made the motion to recommend SB 636 favorably for passage, seconded by Senator Burke. Question by Senator Ward if a fiscal note was available; staff stated the Budget Division of the Department of Administration would provide same, the motion carried. Senator Langworthy will carry the bill.

Hearing and staff briefing on:

SB 674 - Money granted to area agencies on aging under Kansas senior care act.

Staff provided briefing on **SB 674**.

Bill Cutler, Aging Network Specialist, Department on Aging, submitted written testimony on **SB 674** in support of the bill. Mr. Butler stated the House Appropriations Committee voted funding for a statewide program and recommended a reduction of the \$1 for \$1 local match requirement to \$2 state dollars to every \$1 of local funds. Local mill levies for aging services are capped as a part of the 1990 Property Tax Lid law. **SB 674** would move the ratio back to the amount adopted by the Department in the first year of the Senior Care Act. *(Attachment 4)* Committee discussion was held regarding the fiscal impact of the bill, \$2 to \$1 match statewide, and implications of the proposed 45-mill levy.

Beatrice Shisler, East Central Kansas Area Agency on Aging, submitted written testimony on **SB 674** and stated it is becoming increasingly difficult to access funds from county Aging mill levies, and that the match of \$1 local dollar to every \$3 state dollars is appropriate and urged support of this match requirement. *(Attachment 5)* Ms. Shisler talked of services and funds provided by her area agency.

The Chairman called on Senator Kanan who introduced his four pages that assisted at the Committee meeting.

The meeting was adjourned at 11:00 a.m. The next meeting of the Committee is scheduled to be held February 26, 1992, 10:00 a.m., Room 526-S.

SENATE
PUBLIC HEALTH AND WELFARE COMMITTEE

DATE 2-25-90

(PLEASE PRINT)
NAME AND ADDRESS

ORGANIZATION

Candy Bahner PT		KPTA
FRANCES KASNER	Topeka	KPTA
Joseph Keon	Topeka	KATE-
Marilyn Bratt	Lawrence	WINH
Trudy Aron	TOPEKA	Am Inst of Architects
B. J. Cutler		CI DOA
Lana K Martin	OTTAWA	CSKAAA
Beatrice Shisler	Ottawa	East Central KS AAA
L. H. Knappenberger	Olatho	Sen WEBB
Amy Muga	O.P.	Sen. Langworthy
Judy Kruger	Kansas City	US. SBA
Nelson Kruger	Lawrence	Leading Edge, Ltd. CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS
KEVIN R LANDIS	TOPEKA	
SHELBY SMITH	WICHITA	Wesley Foundation
Greg Felix CMSW Top		K-NASW
Gracy Robinson		LWK of Ks.

STATE OF KANSAS

AUDREY LANGWORTHY

SENATOR, 7TH DISTRICT

JOHNSON COUNTY

6324 ASH

PRAIRIE VILLAGE, KANSAS 66208-1369

(913) 362-4067

STATE CAPITOL BUILDING, ROOM 143-N

TOPEKA, KS 66612

(913) 296-7369



TOPEKA

SENATE CHAMBER

COMMITTEE ASSIGNMENTS

CHAIRMAN: LOCAL GOVERNMENT
VICE-CHAIRMAN: ASSESSMENT AND TAXATION
VICE-CHAIRMAN: PUBLIC HEALTH AND WELFARE
MEMBER: CONFIRMATIONS
EDUCATION
ENERGY AND NATURAL RESOURCES
JOINT COMMITTEE ON
ARTS AND CULTURAL RESOURCES
LEGISLATIVE EDUCATIONAL PLANNING
MEMBER: CHILDREN AND YOUTH ADVISORY COUNCIL

Public Health and Welfare Committee

February 25, 1992

Mr. Chairman, members of the committee, as many of you know, I am a member of the Board of Governors, American Red Cross, headquartered in Washington, D.C. One of my major responsibilities has been to work in the area of government relations, an area of increasing importance in the not-for-profit arena.

This bill is very similar to a bill passed in Illinois several years ago. Two other states, Ohio and Connecticut also have legislation. California, Alaska, Delaware, Florida, Kentucky, Maryland, Nebraska, Pennsylvania, South Carolina and Texas currently have bills before their respective legislatures.

Kansas has an extensive emergency management system, however, the state does not have statutory authority to establish a policy or personnel regulation to allow paid leave for state employees to perform Red Cross volunteer disaster work. Under KSA 48-925 (c) (2), during a state of disaster emergency, the Governor may utilize all available resources of the state government and each political subdivision as reasonably necessary to cope with the disaster.

Currently the Division of Personnel Services have allowed disaster volunteers to use accumulated vacation leave or compensatory credits in accordance with Kansas Administrative Regulation 1-9-4.

Last fall I spoke to the Governor's office about this proposal and have received their full support and cooperation on this proposal.

I would like to introduce to you, Terri Buek, the Executive Director for the Topeka Red Cross and the state-wide governmental relations coordinator.

*Senate P. H&W
Attachment #1
2-25-92*

STATE OF KANSAS



DEPARTMENT OF ADMINISTRATION
Division of Personnel Services

JOAN FINNEY,
Governor

NANCY M. ECHOLS,
Director of Personnel Services

Room 951-South
Landon State Office Building
900 S.W. Jackson Street
Topeka, Kansas 66612-1251
913-296-4278
FAX 913-296-6793

February 24, 1992

The Honorable Roy Ehrlich
Chairperson, Public Health and Welfare
Kansas Senate
Room 138-N, Capitol Building
Topeka, Kansas 66612

Dear Senator Ehrlich:

SB 636 is before the Senate Public Health and Welfare Committee for review. I am writing to express my support of the bill as proposed.

Senate Bill 636 would authorize paid leave for any state employee who is a certified disaster service volunteer of the American Red Cross to participate in disaster relief operations designated at Level II and above. This leave, like any other paid leave, would be subject to the approval of the appointing authority and would be limited to 20 working days in each twelve month period. Senate Bill 636 provides paid leave only for services relating to disasters occurring within Kansas and the bordering states.

Other public jurisdictions were contacted about paid leave of absences to perform disaster relief services. Two states, Connecticut and Ohio reported that they have enacted laws for disaster service volunteer leave not to exceed 30 days in each twelve month period. The State of Illinois has enacted a law for paid leave that is similar to the proposed law for Kansas which authorizes leave not to exceed 20 days per twelve month period. Other states such as California, Florida and Pennsylvania are considering enactment of such laws. The State of Kansas would be in the forefront of public employers authorizing disaster service volunteer paid leave to state employees.

According to the American Red Cross, over an eleven year span beginning from 1980 to 1991, an average of two disaster service operations occur in Kansas per year. However, employees who are volunteers certified by the American Red Cross would be expected to assist in any of the bordering states if needed.

*Senate P. How
Attachment #1a
2-25-92*

Senator Roy Ehrlich
February 24, 1992
Page Two

Should an employee become injured while performing disaster services for the American Red Cross, the American Red Cross would provide insurance coverage for any damages or injuries suffered while on duty. *beyond even personal insurance.*

Implementation of Senate Bill 636 and personnel regulations would allow the State of Kansas to be proactive in responding to disaster emergencies.

I appreciate the opportunity to comment on Senate Bill 636. Please let me know if you have any questions.

Sincerely,

Nancy M. Echols
Nancy M. Echols

NME:11k

Attachment

cc: John Hennessey
Art Griggs

2/21/92

10-2

KANSAS CAPITAL
AREA CHAPTER

7th
ANNIVERSARY



American
Red Cross

Kansas Capital
Area Chapter
1221 West 17th
Topeka, Ks. 66604
(913) 234-0568

February 24, 1992

Senator Erlich
Kansas State Capitol
Topeka, Ks. 66612-1565

Dear Senator Erlich and Members of the Public Health and Welfare Committee:

We wish to express support of **SENATE BILL NO. 636**, an act concerning volunteer work by certain state employees; authorizing disaster service volunteer leave.

The Red Cross takes great pride in its federal mandate to be the voluntary organization responsible for relief activities in the time of disaster. It also is proud of its statement of understanding with the State of Kansas to provide for cooperation and coordination in carrying out our assigned responsibilities in the event of natural or man-made disasters. Such coordination and cooperation carries to our involvement and leadership role with the Kansas VOAD (Voluntary Organizations Active in Disaster).

As the known leader in disaster response, our prime resource for providing relief to those suffering in times of disaster, is through trained volunteers. This bill would allow Red Cross trained state employees a release from their work in order to assist disaster victims. The state maintains the control of who they release for such a volunteer assignment - thus not jeopardizing the states employment needs. The Red Cross benefits by having a dedicated group of trained volunteers available.

Senate Bill 636 is modeled after the unanimously passed Illinois bill. That state is very enthusiastic about the law and is working diligently to assess interest and train state employees. Other states with similar laws are Connecticut and Ohio.

Our bill suggests releasing state employees to serve on disaster operations in Kansas and the neighboring states. Many of our larger communities such as Kansas City, Topeka and Wichita are near enough to state borders, that a major disaster operation may encompass more than one state. A study of larger (Level II) disaster operations for the state of Kansas between 1980-1991, showed 22 operations. This is an average of about two per year.

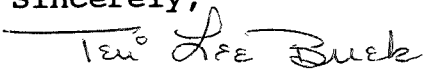


A United Way Agency

Senate P. H. W.
Attachment # 2
2-25-92

Again, we encourage your strong consideration of this bill which would allow for Kansans to help Kansans in time of need.

Sincerely,



Teri Lee Buek
State Liason

KANSAS NASW

National Association of Social Workers, Inc.
Chapter Office
817 Southwest Sixth Avenue
Topeka, Kansas 66603-3130

Telephone 313-354-1894, LMSW
Executive Director

TESTIMONY IN SUPPORT OF SB636

Good morning Sen. Ehrlich and members of the Senate Committee on Public Health and Welfare. It is my pleasure to appear before you today in SUPPORT of SB636. The National Association of Social Workers has joined at the national level in a signed cooperative agreement with the American Red Cross to recruit volunteers for disaster services (please see attached agreement). The Kansas Chapter has led the state chapter effort to mobilize the recruitment of social workers through our unit structure. We currently have active volunteer networks in Topeka, Lawrence, and Wichita. There has been an exciting turnout of 50 social workers for this volunteer work with the Red Cross Chapters in these areas. These volunteers include social workers from every field, including the KanWork program.

The bill is very specific in the type of disaster which employees may be released for - level II. These are the tornado, floods, etc - I am sure the Red Cross representative will elaborate on this point. In addition, the legislation requires the approval of the state agency employing the personnel for release from work - not only that they may be released, but the length of time allowed. The legislation goes on to specify how many calendar days the worker is entitled to in any given calendar year.

This legislation allows Kansans to help fellow Kansans. During the aftermath of the Andover tornado, many social workers in the Wichita area told me that they were able to assist in very meaningful ways with the victims of the disaster with case management, crisis intervention counseling services, etc. When a neighbor is in trouble, Kansans respond. This legislation allows state employees to do so without penalty of benefits.

One question we have is on line 34: I understand the intent of this language is that employees may be released for disaster work within our state, OR within the contiguous states. We would suggest striking the word "and", and inserting the work "or."

In summary, the 1650+ members of the Kansas Chapter of NASW strongly urge you to pass this bill out favorably.

Thank you for your consideration of this important issue, and the time to address you on it.

*Senate P. H. & W.
Attachment #3
2-25-92*

JUL 17 1958

**Statement of Understanding
between the
National Association of Social Workers
and the
American National Red Cross**

I. Purpose

This Statement of Understanding establishes a mutually beneficial basis of cooperation between the American National Red Cross and the National Association of Social Workers, joining together in areas of common interest to better serve the American people.

II. Organization of the American Red Cross

By an act of Congress on January 5, 1905, the American Red Cross was granted a charter under which it is designated the nationwide agency through which the American people voluntarily extend assistance to individuals and families in need. It is a multipurpose, voluntary health and social welfare organization providing human services through chapters and Blood Services regions, and worldwide through field stations on U.S. military installations.

The national headquarters of the American Red Cross is located in Washington, D.C. National headquarters is responsible for implementing policies and procedures that govern Red Cross activities, for giving administrative and technical supervision, and guidance to chapters and other national sector units in specified geographical jurisdictions.

The chapter, the local unit of the Red Cross, is responsible for all Red Cross activities within its territory, subject to the policies and procedures of the corporation. There are approximately 2800 chapters across the United States.

III. Organization of the National Association of Social Workers

The National Association of Social Workers (NASW) was established in 1955 when seven social work professional organizations joined to form one national association to represent the profession. Since that time, NASW has grown to be the world's largest organization of professional social workers with a membership of over 135,000 social workers in 55 chapters in 50 states. NASW members are professional social workers who work in a variety of settings — military bases, child welfare agencies, hospitals, schools, community health and mental health centers, nursing, job training centers, international development agencies, and others.

NASW's purpose, broadly stated, is to strengthen the social fabric through the pursuit of sound social policies and high quality human services. NASW has a special concern about ensuring the provision of appropriate, quality services to individuals and families and improving the quality of life in the broader community.

NASW is governed by a National Board of Directors which meets quarterly, and a Delegate Assembly, which is convened every three years to determine the Association's broad goals and priorities. However, many of the association's important initiatives occur at the chapter level. Members of NASW reside not only in the United States and its North American neighbor, Canada, but also around the globe.

Organization-wide activities such as the nation-wide Public Service Campaign are designed to raise public consciousness about pressing social issues. The current two-year (1989-1991) campaign is "Family Ties," focusing on strengthening families.

IV. Means of Cooperation

1. Mark Battle, Executive Director of NASW, and James Hladecek, Acting Senior Vice President, Operations Management, ANRC, will co-sign a letter to be published in the *NASW News*, the monthly newspaper of NASW and *Red Cross News*. This letter will announce the signing of this agreement and will encourage social workers to contact their local Red Cross for information on volunteering to lead support groups for military families in their areas.
2. Newsletters of both organizations will provide highlights of current activities to increase awareness and opportunities for continued partnerships at both the national and local levels.
3. Both organizations understand that each organization is an independent entity and is not related to or considered the agent for the other organization. In the spirit of cooperation, each organization agrees to obtain the approval of the other for any and all written material developed for marketing, educational, or other purposes which includes the name, emblem, or logo of the other organization.

V. Recommended Opportunities for Involvement

American Red Cross chapters and NASW chapters are encouraged to work collaboratively at national and local levels and to share their expertise, especially in the areas of service to military families and veterans, disaster preparedness, education, response, international social work, and other community and social services. Specifically:


1. Establish procedures for encouraging NASW members to volunteer to lead support groups for military families.
2. Make available to each social worker volunteering with Red Cross, the book entitled *Guide to Developing and Conducting Reunion Programs*, developed by the U.S. Army Community and Family Support Center.
3. Assist in international social work services, acculturation and resettlement for newly arrived immigrants and refugees.
4. Encourage increased involvement in American Red Cross disaster relief especially in the area of mental health preparedness.
5. Arrange for periodic meetings for the purpose of considering other ways of working together, such as sharing information to enhance problem solving, coping, and developmental capacities of people.

Not exclusive to the above, the American National Red Cross and the National Association of Social Workers will continue to pursue ways in which we can advance our common interests in addressing local community needs.



Mark Battle, AESW
Executive Director
National Association of Social
Workers

Date:



James J. Hladecek
Acting Senior Vice President
Operations Management
American Red Cross

Date:

Testimony on SB 674
Senior Care Act Match

before the
Senate Public Health & Welfare Committee
February 25, 1992

by the
Kansas Department on Aging

Mr. Chairman and members of the committee, the Kansas Department on Aging appears today in support of SB 674. We appreciate the introduction of this bill by the Committee. The Senior Care Act is an Act introduced by this committee in 1989 as SB 60, which has succeeded in providing home care services to hundreds of older Kansans during the last two years.

A change in the Senior Care Act matching ratios is necessary to expand the program statewide. The House Appropriations Committee last week voted funding for a statewide program. The committee recommended a reduction of the \$1 for \$1 local match requirement to \$2 state dollars to every \$1 of local funds. The Appropriations Committee recognized that most areas of the state are having or would have trouble raising enough local money to match a program.

Local mill levies for aging services are capped as a part of the 1990 Property Tax Lid Law; therefore, local increases in aging mill levies can only come at the expense of other services. A bill (SB 501) has been introduced and heard in the Senate Assessment and Taxation Committee to remove the aging mill levies from the aggregate tax limit; but, the Committee has taken no action on the bill.

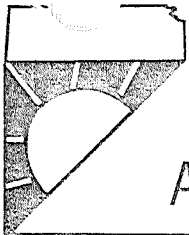
Last year, the Department surveyed area agencies on aging to see if they could raise enough match. We found that some could, but many could not at the \$1 for \$1 ratio.

SB 674 would move us back to the ratio adopted by the Department in the first year of the Senior Care Act. The Act allowed the Department flexibility in FY 1990. We found that two of three of our programs had to cut back when the \$1 for \$1 ratio took effect in July of 1991.

In 1990, the Senate unanimously approved SB 567, which would have allowed the Secretary of Aging flexibility in setting the matching ratio. Unfortunately, that bill lost by one vote in the House Appropriations Committee. We now foresee, by the Committee's action last week, a new fate for SB 674.

We urge your adoption of SB 674.

*Senate P. H. & W.
Attachment #4
2-25-92*



East Central Kansas Area Agency on Aging

Anderson - Coffey - Franklin - Linn - Miami - Osage

TESTIMONY OF BEATRICE L. SHISLER
EXECUTIVE DIRECTOR
EAST CENTRAL KANSAS AREA AGENCY ON AGING

Good morning. My name is Beatrice Shisler. I am the Executive Director of the East Central Kansas Area Agency on Aging. We serve a six county rural in nature area. Our office is located in Ottawa.

I am now in my third year as Executive Director of the Area Agency. Two years ago I brought testimony to you about the issue of match dollars and the increasing need for in-home services in our area. We were not one of the three pilot projects for the Senior Care Act. Two years ago the Senior Care Act was not expanded. Last year the Senior Care Act was not expanded. Today, we have great hopes that the Senior Care Act program and the provision of care for seniors will take a giant leap forward and be funded statewide.

BUT, the very important issue of matching dollars remains.

1-800-633-5621

913-242-7200

132 SOUTH MAIN • OTTAWA, KANSAS 66067

*Senate P. H&W
Attachment #5
2-25-92*

Whereas no other state program of this type is required to seek matching funds, this program is. Currently, the programs in existence are required to meet the match at a dollar for dollar basis. The existing programs are finding it difficult to find matching funds in a time when there is a tax lid on county funds. Those of us seeking match dollars for the Older Americans Act programs are finding that it is becoming increasingly difficult to access funds from county aging mill levies. We compete for funds with senior centers, health departments, and anyone that has a program that assists seniors.

Although everyone agrees that in-home services are important and that the Senior Care Act is the star of these programs, there is great controversy over who should be paying for the program.

While we would prefer that match dollars not be required to participate in this program, we believe that the original match of \$1 local dollar to every \$3 state dollars is appropriate. We feel that the state should maintain this type of match requirement and not change it after the programs have been started.

In the six counties that we serve, I would only be able to raise match dollars from three counties in this calendar year

for in-home services. The total estimated dollar amount would be \$32,000.

Currently, because of the need for services, we initiate mini Senior Care Act projects in four counties utilizing a mix of Older Americans Act funds and aging mill levy funds. These services consist of personal care, housekeeping/chore, and limited volunteer respite care. All of the programs have had waiting lists since their inception in September of this past year. We have been able to serve those most at risk of entering a nursing home but we do not believe that will continue even to the end of this week.

I strongly urge you to support the match requirement of 1-3.

I am happy to answer any questions today and you are always welcome to visit the programs in our area.

Thank you.