

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Senator August "Gus" Bogina, Chairperson, at 11:14 a.m. on March 19, 1992 in Room 123-S of the Capitol.

All members were present except:

Senator Parrish, who was excused

Conferees appearing before the committee:

None

Secretary Donna Whiteman appeared before the Committee to discuss the accreditation of Larned State Hospital, Attachment 1 and 2. She stated that accreditation is now mandatory in that HCFA accepts JCAHO accreditation. In June of 1991, Larned State Hospital underwent an accreditation review by JCAHO who recommended that cosmetic changes be made in the nursing station, cafeteria and visitation area to make the facility have a more therapeutic rather than correctional appearance. She stated that the Dillon and Jung units could be separated from the Hospital, but that would cause the loss of joint accreditation designation and, consequently, the loss of disproportionate share monies. Secretary Whiteman told the Committee that if they chose to give up accreditation and certification, the units could be separated out and made a part of the Corrections system. That action would also jeopardize the disproportionate share dollars that are available.

There was general concern about the impact of the accreditation process on safety of state employees. In answer to a question, Sec. Whiteman said that the Dillon and Jung Buildings are at capacity. In answer to Senator Feleciano's question, the Secretary stated that Dr. Lee, Superintendent of LSH, is presenting staff recommendations regarding cosmetic changes to JCAHO that could be made to the interior of the facilities. She noted that these recommendations are the minimum needed to get through the accreditation process, and, if they are rejected by JCAHO, other considerations will have to be made that may require additional resources.

Senator Salisbury queried whether a behavior treatment unit for forensic patients would be feasible at Larned State Hospital. The Secretary noted that the issue at LSH is not a "lock-up" issue but a cosmetic one. She stated that a behavior treatment unit would not be unlike units already available at LSH and Osawatomie State Hospital. Secretary Whiteman concurred that the transfer of forensic patients is a statewide issue and, if the Legislature desires that the transfer occur, part of the recommendation would have to include adequate staffing. The Secretary stated that one recommendation that is being considered is the unlocking of rooms at night for carefully screened clients. In answer to Senator Salisbury's question, Secretary Whiteman stated that the agency's budget could accommodate cosmetic changes to the facilities, but the unlocking of doors at night would require increased staffing.

Senator Moran expressed his concern over the loss of control on the state level because of federal rules and regulations, and urged the Secretary to correspond with the Kansas congressional delegation about this issue. He discussed the issue of salary disparity and noted that there are staff vacancies at both the Dillon and Jung Buildings. In answer to his question, Secretary Whiteman stated that 48 employees with an average of 6 years experience with SRS have transferred to correctional facilities, and this will be an ongoing problem until there is more equity in pay between correctional officers and hospital employees. Senator Moran noted that new positions could be created to respond to the changes in security, but the inability to hire and retain experienced and well-qualified employees would continue if pay inequities are not addressed.

Senator Brady asked for documentation from SRS that this issue had been brought to the attention of the Legislature at the time the transfer of patients was being considered.

Senator Rock expressed his opinion that the facility at Larned State Hospital

was not architecturally proper to house dangerous clients. Secretary Whiteman concurred that the layout adds to the staffing problems at the facility.

Senator Feleciano stated that it was time to "stop playing dead" to the Federal government and challenged the Secretary to write to the President on behalf of the Senate Ways and Means Committee regarding the potential impact of JCAHO recommendations on the safety of state employees.

In response to Chairman Bogina's request, Secretary Whiteman stated that she would provide a list of proposals the agency is considering for Larned State Hospital.

HB 2707 - Appropriations for FY93, legislative agencies, governor's department, lieutenant governor, attorney general, secretary of state, state treasurer, insurance department.

COMMISSION ON INTERSTATE COOPERATION

LEGISLATIVE COORDINATING COUNCIL

LEGISLATIVE RESEARCH DEPARTMENT

REVISOR OF STATUTES

LEGISLATIVE EDUCATIONAL PLANNING COMMITTEE

Chairman Bogina reviewed the subcommittee reports, Attachment 3. Senator Brady moved, Senator Feleciano seconded, that the subcommittee reports for the Legislative agencies and the Governor be amended to indicate that the salary items were removed in accordance with Committee direction.

Senator Winter moved, Senator Feleciano seconded, that subcommittee reports on the Commission on Interstate Cooperation, Legislative Coordinating Council, Legislative Research Department, Revisor of Statutes, and Legislative Educational Planning Committee be adopted as amended. The motion carried.

LEGISLATURE

Chairman Bogina reviewed the subcommittee report, Attachment 4. Senator Feleciano objected to the deletion of monies for microcomputers and related equipment, expressing his opinion that computers and networking are management tools needed to perform legislative work. In answer to his question, Chairman Bogina stated that he believed having word processing capabilities is important, but it would be hard to justify the purchase of microcomputers for the short span of the legislative session.

Senator Feleciano moved and Senator Brady, as a courtesy to Senator Feleciano, seconded that the subcommittee report be amended by including \$374,313 for 100 microcomputers and related equipment. The motion failed, with Senator Brady requesting that the minutes reflect his "no" vote.

Senator Winter moved, Senator Rock seconded, that the subcommittee report be amended to include \$233,680 in FY92 for 94 Legislative days. The Chairman noted that 94 days was the number recommended by members of House and Senate leadership. The motion failed, 5-5, on a show of hands.

DIVISION OF POST AUDIT

The Chairman reviewed the subcommittee report, Attachment 5. Senator Winter moved, Senator Hayden seconded, that the subcommittee report be amended to include the balloon, Attachment 6. A copy of the fee schedule was distributed to members, Attachment 7. The motion carried.

GOVERNOR

Chairman Bogina reviewed the subcommittee report, Attachment 8.

Senator Winter moved, Senator Hayden seconded, the adoption of the subcommittee reports for the Legislature, Post Audit and Governor. The motion carried.

Senator Brady moved, Senator Winter seconded, the introduction of bill drafts 1 RS 2889 as requested by Post Audit and 1 RS 2899 as requested by the Chairman. The motion carried.

It was moved by Senator Moran and seconded by Senator Brady that the minutes of the March 5, 6, 9 and 16, 1992 meetings be approved. The motion carried.

The Chairman adjourned the meeting at 12:12 p.m.

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.

**TESTIMONY BEFORE THE
SENATE WAYS AND MEANS COMMITTEE**

THE HONORABLE AUGUST BOGINA, JR., CHAIR

**RE: ACCREDITATION OF THE
LARNED STATE SECURITY HOSPITAL
BY THE JOINT COMMISSION ON
ACCREDITATION OF HEALTH CARE ORGANIZATIONS**

SUBMITTED BY:

**DONNA L. WHITEMAN, SECRETARY
DEPARTMENT OF SOCIAL & REHABILITATION SERVICES**

MARCH 19, 1992

*SWAM
March 19, 1992
Attachment 1*

Thank you for the opportunity to discuss the implications of giving up or losing accreditation at Larned State Security Hospital. In the opinion of the Department of Social and Rehabilitation Services, approximately \$56,000,000 in Disproportionate Share Funds would be lost.

LSH is certified by the Health Care Financing Administration (HCFA) and accredited by the Joint Commission on Accreditation of Healthcare Organizations (JCAHO). JCAHO accreditation makes it possible to obtain HCFA certification and collect Medicaid, Medicare and third-party payments. JCAHO accreditation is required to qualify facilities to earn Disproportionate Share Funds. The process of certification by HCFA is different than the JCAHO accreditation process. HCFA allows certification of distinct parts of a hospital. If a hospital is not certified in one area, it can be certified in another. HCFA accepts (deems) JCAHO accreditation. When HCFA conducts a survey of an accredited hospital, it generally focuses only on staffing and medical records, not on those areas otherwise surveyed by JCAHO.

JCAHO does not allow accreditation of distinct parts of any hospital. JCAHO either accredits an entire hospital, or the hospital is not accredited at all. If a hospital is found deficient in certain of the approximate 1800 requirements for accreditation, the facility may be given time to correct the deficiencies. In such a situation, a focused survey is conducted approximately six months after the initial survey. If, at the time of the focused survey, the deficiencies are not corrected, JCAHO can grant conditional accreditation or not recommend accreditation.

If Larned State Security Hospital does not correct the deficiencies cited in the 1991 JCAHO survey with regard to quality assurance and therapeutic environment matters in the State Security Hospital, the Disproportionate Share revenue generated by the entire hospital in the approximate amount of \$56,000,000 will be lost.

The list of deficiencies cited in 1991, is enclosed.

The alternative to correcting the deficiencies is to have the facility (Security Hospital) managed and operated by another agency such as the Department of Corrections. However, the State then would be unable to receive the approximate \$24,000,000 in Federal funds currently being generated by the Security Hospital.

15. There is a planned, systematic, and ongoing process for monitoring, evaluating, and improving the quality and appropriateness of care provided to patients. (DR.QA.3.1)
- a. Those aspects of care that are most important to the health and safety of the patients served are identified. (DR.QA.3.2.1)
 - b. Indicators are identified to monitor the quality and appropriateness of important aspects of care. (DR.QA.3.2.2)

IT WAS NOTED THAT FOR (DR.QA.3.1 THROUGH DR.QA.3.2.2): CURRENTLY, ONLY VOLUME AND TIMELINESS INDICATORS ARE BEING MONITORED AND EVALUATED.

THE FOLLOWING RECOMMENDATIONS QUOTE STANDARDS IN THE CONSOLIDATED STANDARDS MANUAL, 1991. THE SPECIFIC STANDARDS REFERENCED ARE NOTED IN PARENTHESES FOLLOWING THE RECOMMENDATION.

THERAPEUTIC ENVIRONMENT

16. Waiting or reception areas are comfortable, and their design, location, and furnishings accommodate the characteristics of patients and visitors, the anticipated waiting time, the need for privacy and/or support from staff, and the goals of the organization. (TH.4)

★ SPECIFIC REFERENCE IS MADE TO THE JUNG BUILDING. THE VISITOR AREA OF THIS FORENSIC UNIT IS SMALL AND CONVERSATIONS CAN ONLY BE THROUGH A PHONE SYSTEM SUCH AS USED IN A PRISON.

17. Direct outside air ventilation is provided to each patient's room by air-conditioning or operable windows. (TH.7.1)

18. Ventilation is sufficient to remove undesirable odors. (TH.7.2)

IT WAS NOTED THAT THERE WERE URINE AND FECES ODORS IN BOTH THE AIM UNIT AND IN THE JENKINS BUILDING (ADULT PROGRAM).

19. All areas and surfaces are free of undesirable odors. (TH.8)

SPECIFIC REFERENCE IS MADE TO THE AIMS UNIT AND JENKINS BUILDING.

20. Door locks and other structural restraints are used minimally. (TH.9)

21. The use of door locks or closed sections is approved by the professional staff and the governing body. (TH.9.1)

SPECIFIC REFERENCE IS MADE TO THE FORENSIC BUILDING WHERE ALL DOORS ARE LOCKED AND THERE ARE GUARD GATES AND BARS. IN ADDITION, THE VISITOR AREA AND NURSING STATIONS ARE GATED.

22. Available areas include: (TH.11.1)

- a. Attractively furnished areas for private conversations with other patients, family members, or friends. (TH.11.1.3)

SPECIFIC REFERENCE IS MADE TO THE JUNG BUILDING.

23. Dining areas are comfortable, attractive, and conducive to pleasant living. (TH.13)

SPECIFIC REFERENCE IS MADE TO THE DILLION BUILDING WHERE THERE IS ALOT OF IRON AND STEEL GRILLWORK.

SCOPE OF THE REHABILITATION SERVICES PROGRAM

24. Organizations that have a vocational rehabilitation service have written policies and procedures to govern the operation of the service. (RH.32)
25. The vocational rehabilitation service assesses the patient's vocational needs with regard to: (RH.32.1)
 - a. Current work skills and potential for improving skills or developing new ones. (RH.32.1.1)
 - b. Educational background. (RH.32.1.2)
 - c. Amenability to vocational counseling. (RH.32.1.3)
 - d. Aptitudes, interests, and motivations for getting involved in various job-related activities. (RH.32.1.4)
 - e. Physical abilities. (RH.32.1.5)
 - f. Skills and experiences in seeking jobs. (RH.32.1.6)
 - g. Work habits related to tardiness, absenteeism, dependability, honesty, and relations with co-workers and supervisors. (RH.32.1.7)
 - h. Personal grooming and appearance. (RH.32.1.8)
 - i. Expectations regarding the personal, financial, and social benefits to be derived from working. (RH.32.1.9)

IT WAS NOTED THAT THERE IS MINIMAL DOCUMENTATION IN THE MAJORITY OF THE RECORDS REVIEWED THAT THESE REQUIREMENTS HAVE BEEN ADDRESSED.

MONITORING AND EVALUATION OF REHABILITATION SERVICES

/ 09/11/91
HAP000373651, PSY000356131.

Attach etc

Disproportionate Share Payments - FY 1992

GENERAL HOSPITALS: The disproportionate share payments for general hospitals will consist of State General Fund (SGF) dollars from the budget of the SRS Division of Medical Services (DMS) and federal matching dollars (FFP).

<u>Provider Number</u>	<u>Facility</u>	<u>Calculated Dispr. Share</u>	<u>DMS SGF</u>	<u>Federal Match FFP (2)</u>
300093	Baxter Springs Hospital(1)	\$7,945	\$3,389.00	\$4,556.00
300194	Coffeyville Regional Medical Center	\$121,083	\$49,934.63	\$71,148.37
300216	Comanche County Hospital	\$10,595	\$4,369.38	\$6,225.62
300690	Geary Community Hospt.	\$39,916	\$16,461.36	\$23,454.64
300701	Bethany Medical Center	\$374,146	\$154,297.81	\$219,848.19
300745	University of Kansas Medical Center	\$835,093	\$344,392.35	\$490,700.65
300925	Cushing Memorial Hospital	\$24,889	\$10,264.22	\$14,624.78
301004	Manhattan Memorial	\$401,731	\$165,673.86	\$236,057.14
301498	Hamilton County Hospital	\$30,591	\$12,615.73	\$17,975.27
301522	Stormont-Vail Regional Medical Center	\$353,035	\$145,591.63	\$207,443.37
301623	Riverside Hospital	\$197,502	\$81,449.82	\$116,052.18
305190	The Children's Mercy Hospital	\$224,896	\$52,747.11	\$132,148.89
313378	Truman Medical Center	<u>\$531,569</u>	<u>\$219,219.06</u>	<u>\$312,349.94</u>
Subtotal		\$3,152,991	\$1,300,405.97	\$1,852,585.03

STATE INSTITUTIONS: The disproportionate share payments for state institutions will consist of State General Fund (SGF) dollars as provided by SRS Mental Health & Retardation Services (MH & RS) and federal matching dollars (FFP).

<u>Provider Number</u>	<u>Facility</u>	<u>Calculated Dispr. Share</u>	<u>MH&RS SGF</u>	<u>Federal Match FFP (2)</u>
340018	Larned State Hospital	\$95,606,075	\$39,427,945.33	\$56,178,129.67
340020	Osawatomie State Hospital	\$23,214,135	\$9,573,509.27	\$13,640,625.73
340031	Topeka State Hospital	\$44,391,009	\$18,306,852.11	\$26,084,156.89
340042	Rainbow Mental Health Facility	<u>\$16,505,757</u>	<u>\$6,806,974.19</u>	<u>\$9,698,782.81</u>
Subtotal		\$179,716,976	\$74,115,280.90	\$105,601,695.10
Grand total		<u>\$182,869,967</u>	<u>\$75,415,686.87</u>	<u>\$107,454,280.13</u>

SUMMARY:	SGF from DMS budget:	\$1,300,405.97
	SGF provided by MH&RS:	\$74,115,280.90
	Federal Match (FFP) (2):	\$107,454,280.13
	Total Disproportionate Share Payments:	\$182,869,967.00

NOTES: (1) Baxter Springs Hospital closed 8/31/91. Amount reflects payment for July and August 1991 only. Calculation: $\$47,668/12 = \$3,972$; $2 \times \$3,972 = \$7,945$ (figures rounded)

(2) FFP match rates are based on 1 qtr. federal fiscal year '91 & 3 qtrs federal fiscal year '92

SOURCE: DMS fiscal unit, 1/16/92, DISPSHAR.WK3

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STATE OF KANSAS

SOCIAL AND REHABILITATION SERVICES

Kansas Medicaid
Disproportionate Share Payments
for 1992

Listed below are those hospitals which received disproportionate share payments for 1992.

Facility	Amount
Baxter Springs Hospital	\$ 7,945
Coffeyville Memorial Hospital Medical Center	\$ 121,083
Commanche County Hospital	\$ 10,595
Geary County Hospital	\$ 39,916
Bethany Medical Center	\$ 374,146
The University of Kansas Medical Center	\$ 835,093
Cushing Memorial Hospital	\$ 24,889
Manhattan Memorial Hospital	\$ 401,731
Hamilton County Hospital	\$ 30,591
Stormont-Vail Regional Medical Center	\$ 353,035
Riverside Hospital	\$ 197,502
The Children's Mercy Hospital	\$ 224,896
Truman Medical Center	\$ 531,569
Larned State Hospital	\$95,606,075
Osawatomie State Hospital	\$23,214,135
Topeka State Hospital	\$44,391,009 ✓
Rainbow Mental Health Facility	\$16,505,757 ✓

Donna L. Whiteman
Secretary of Social and
Rehabilitation Services

Formula for Low-Income Utilization Rate for Disproportionate Share Hospitals
Kansas Department of Social and Rehabilitation Services
Division of Management Services

THE SUM OF:

1) The Fraction..... $\frac{\text{Government Payments Excluding Medicare}}{\text{Amount of Hospital Charges}}$
less
the Amount of Contractual Allowances and Discounts

AND

2) The Fraction..... $\frac{\text{The Total Amount of a Hospital's Charges for Inpatient Services which are Attributable to Charity Care}}{\text{Total Amount of Hospital Charges for Inpatient Services}}$
less
the Portion of Cash Subsidies for Patient Services Received Directly from the State and Local Governments Reasonably Attributable to Inpatient Services.

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P. 2

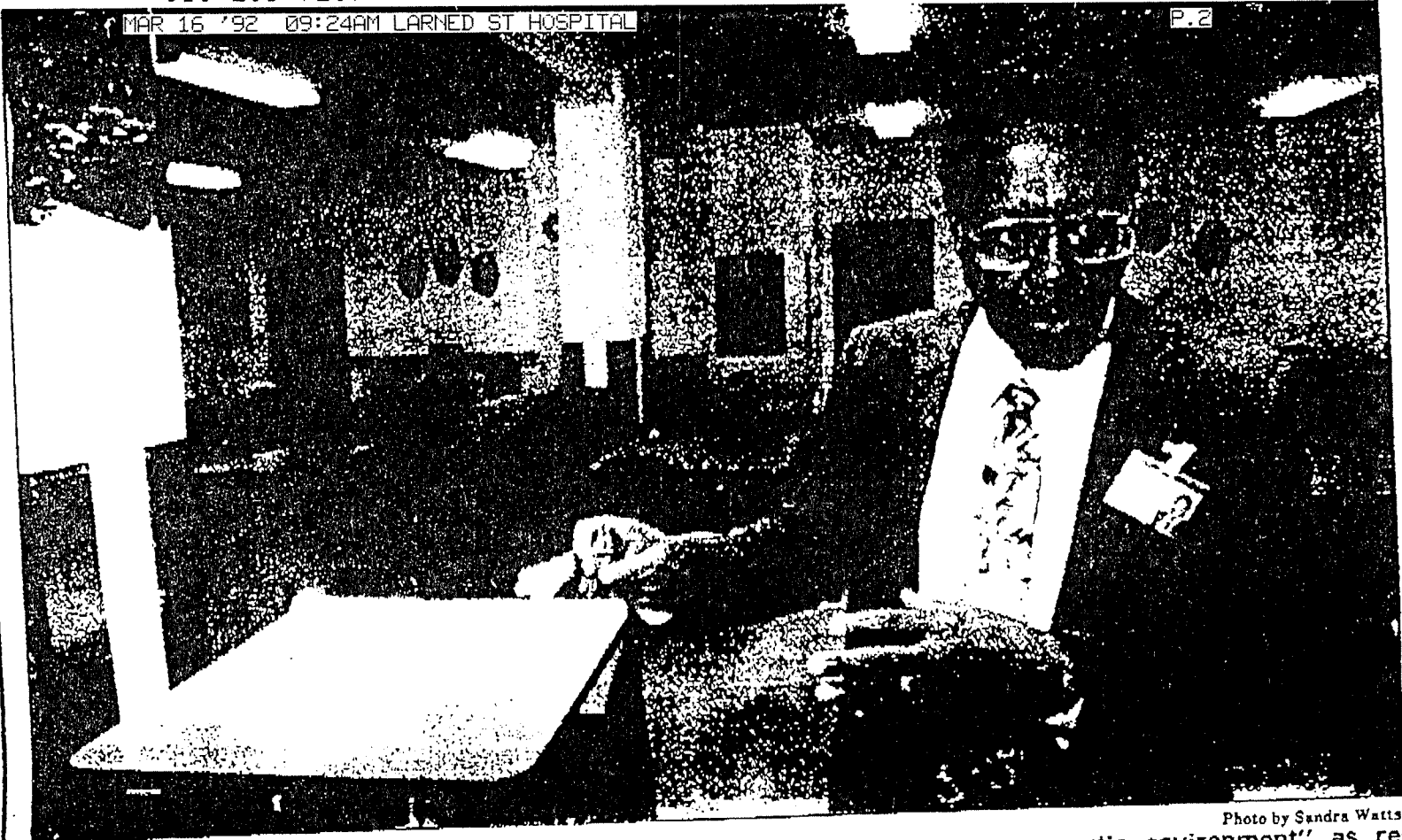


Photo by Sandra Watts

Carl Ganer, 54, a unit coordinator at Larned State Hospital, talks about changes made at the Dillon maximum-security building cafeteria. The change was to

establish a "more therapeutic environment" as required by the Chicago-based Joint Commission on Accreditation for Healthcare Organizations.

Staff safety or patients' needs?

By Jan Biles
The Hutchinson News

LARNED — Dr. Mani Lee, who is completing his seventh week as superintendent of Larned State Hospital, faces a dilemma: How does the state hospital relax security without endangering the lives of patients and staff?

The recent strangulation death of a Topeka State Hospital therapist at the hands of one of her patients is causing state hospital staff here to take the security question even more seriously. The murder suspect was treated at the Larned hospital from 1985 to 1987.

Lee said a three-member surveying team from the Chicago-based Joint Commission on Accreditation for Healthcare Organizations renewed Larned

Larned State Hospital faces a difficult balancing act

State Hospital's accreditation in July 1991 with the understanding that the hospital would take measures to establish a "more therapeutic environment" in Dillon and Jung maximum-security buildings.

"They said if we were running a hospital they expect it to be run like a hospital and not run like it was a prison," the 60-year-old superintendent said.

Dillon and Jung house patients referred by the Department of Corrections and district courts who are violent or criminally insane. Dillon has 123 beds; Jung can house 97 patients.

The JCAHO team said metal screens and grillwork surrounding nursing stations in the Dillon building should be removed so patients can have direct contact with staff, according to Lee. The surveyors recommended that patient rooms no longer be locked and barred from the outside at night because it restricted the movement of patients.

They also wanted a metal mesh screen in the dining/visiting rooms of both buildings removed so patients and visitors can have minimal physical contact. The thick-mesh screen,

which extended from the ceiling to the floor, made it difficult for visitors and patients to see each other and prohibited any type of touching.

The screen has been replaced with a wooden counter about 4 feet high. During visiting hours patients sit on one side of the counter and visitors sit on the other. Registered nurse Dolor Wiedemann said a hospital treatment team determined which patients can have physical contact with their visitors.

"They can hug at the beginning and end of a visit," she said, describing what type of contact is permissible. "Recent visitors have commented on how nice it is to visit without the screen."

Lee said a nursing staff committee was formed to bring

See LARNED, Page 2
SWAM, March 19, 1992
Attachment 2



Photo by Sandra Watts

Staff member Harry Thorne walks away from a nursing station that the Joint Commission on Accreditation for Healthcare Organizations, based in Chicago, said

does not allow enough direct patient-staff contact. The commission recommended that the grillwork surrounding the nursing station be removed.

Larned

Continued from Page 1.

storm ways the hospital could follow JCAHO guidelines without increasing security risks for staff and patients.

"We're trying to make minor changes. ... We won't do anything here until we can ensure staff safety," he said.

JCAHO gave the hospital six months to comply with the requirements after it received the commission's report last fall, Lee said. If the commission does not approve the changes made by the hospital, the facility could lose its three-year accreditation, which in turn would jeopardize \$56 million it receives each year in Medicare and Medicaid reimbursements.

Lee added that if JCAHO requires the hospital to make additional structural changes that lessen security, he will be forced to ask the Legislature to increase the hospital's budget to cover additional construction and staffing costs.

"I don't want to put up a show. If they find deficiencies, then I want to correct it. ... Good patient care comes first," Lee said.

The JCAHO team was not critical of the exterior of the buildings or their surrounding grounds. Lee said the hospital has no plans to take down security fences or electronic surveillance cameras that deter

patients from trying to escape from the buildings.

Stephen Davidow, JCAHO spokesman and media relations manager, said he did not have information about the Larned survey and could not discuss that information with reporters even if he had access to it. He also said he could not release the names of the surveyors.

Davidow said JCAHO conducts at least 1,700 hospital-accreditation surveys a year at a cost ranging from \$6,000 for a small facility to \$45,000 for a large teaching hospital. In addition, the Chicago agency completes a number of surveys for other types of health-care organizations.

Lee said the survey at Larned cost about \$20,000.

Workers react

Some Larned State Hospital employees say tearing down security screens and opening nursing stations is a move in the right direction. Other workers say the changes are foolish.

Dan Murray, 39, Great Bend, a registered nurse who has worked at the hospital for 20 years, knows what can happen if mentally-ill patients become upset.

"I've been hit, kicked, bit and threatened with my life on occasion. I've seen chairs thrown. ... That's a scary proposition to change this office," Murray said

of the secured nursing station on one of Dillon's east wards.

The nursing station contains patient records, over-the-counter medications and the ward's emergency alarm system.

Carl Garner, 54, Great Bend, a unit coordinator who has worked at the hospital 32 years, said he also knows the drawbacks of working in a hospital for the mentally ill. He was held hostage for 9½ hours when patients rioted and overtook the Dillon building in 1986.

"So I understand the dangerousness, but I also understand the need to consider the patients' environment and if (the changes) will reduce the amount of violence," he said. "In my opinion it will reduce frustration."

Marvin Warner, 53, a licensed mental-health technician from Garfield, questioned whether the new counter in Dillon's dining/visiting room is enough to prevent contact between patients and visitors.

"We've had no trouble yet," he said. "It will be a problem for some of them (patients). There's nothing there but air. ... It's like laying candy out and saying don't use it. It'll be a short-time problem until they get used to it."

Mental-health aide Harry Thorne, 48, Larned, said the

dining area looks nicer and brighter with the screen gone. "but when you have this many patients, tempers flare, and now you have to contain 60 patients instead of 30."

"I think the changes are positive," said LMHT Laura Stegman, 28, Larned. "Change is always good."

Ms. Stegman said she feels safe working in the Dillon building, which houses only males: "I feel safer here than on the grounds ... and the patients here are more potentially dangerous than those on the grounds."

If there's a problem with a patient in the Dillon building, she said, the alarm is sounded and other workers arrive in less than a minute to help control the problem. She said it can take up to 15 minutes before back-up help arrive on the grounds.

LMHT Chris Crenshaw, 25, Larned, said younger employees are more willingly to accept the changes than older employees who have worked at the hospital for a number of years.

"I like it," he said. "It's opened the place up."

"What the staff is worried about is when will this end? How far will security be lessened?" Lee explained. "... So far, I'm hearing 90 percent of the staff accept the changes although they are feeling uncomfortable (with them)."

Larned chief has 'hands-on' approach

By Jan Biles
The Hutchinson News

LARNED — Dr. Mani Lee said he's discovered an unused source of human potential during the short time he's been superintendent of Larned State Hospital. And he hopes his management style will open the stops on the gusher.

"I find tremendous potential here, but it's needing to be tapped more," he said.



Lee

Lee, 50, replaced Dr. G.W. Getz as the state hospital's superintendent seven weeks ago. A few days after his arrival here, Lee said employees began asking him if he planned to make changes at the state hospital.

"I said, 'Darn right. But the changes will not come from me, but from you.' It takes time and it's cumbersome, but I believe in having people make decisions," he explained.

Lee said he makes himself visible to employees, meets with workers on a regular basis and makes administrative executive committee minutes available to employees.

"It appears it's the first time in years (that it's been done) at this hospital," he said.

Lee said the welfare of patients always supersedes staff convenience.

"Often we forget that the short-term convenience isn't convenient. It's a losing deal," he said. "Even the sickest patient knows when he's treated with care."

Lee said he hopes to direct hospital staff in developing meaningful programs that prepare patients to leave the hospital and live successfully in their home communities.

"Ninety-five of 100 patients want to go home," he said. "I believe the shorter people stay at the hospital, the better it is."

"Psychiatry is not a hard science. It's based on speculation and theories," he said. "When we see a patient improving, we take that as improvement. We can't deprive them of their freedom because of something they did five or 10 years ago. If we don't believe in potential of change, why are we treating them?"

SUBCOMMITTEE REPORT

Agency: Commission on Interstate Cooperation

Bill No. 2707

Bill Sec. 2

Analyst: Ahrens

Analysis Pg. No. 85

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>House Adjustments</u>
State Operations:			
State General Fund	\$ 214,796	\$ 214,796	\$ (105,032)
FTE Positions	0	0	--

Agency Request/Governor's Recommendation

The FY 1993 budget request of the Commission is \$7,677 more than the current year revised estimate. The request includes an additional \$7,783 for membership dues and contributions to national organizations and a net decrease of \$106 for per diem compensation and travel expenses. The Governor concurs with the agency request.

House Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation.

House Committee Recommendation

Concur with Subcommittee.

House Committee of the Whole Recommendation

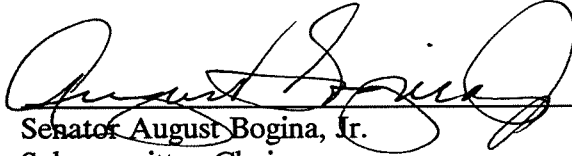
The House Committee of the Whole reduced the budget by \$105,032. This amount is the sum of the FY 1993 dues of \$66,500 for the Council of State Governments and the \$38,532 included in the budget for legislators' per diem compensation and travel expenses for attending meetings sponsored by the Council.

<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Sub. Adjustments</u>
State Operations:			
State General Fund	\$ (105,032)	\$ 109,764	\$ 105,032
FTE Positions	--	0	--

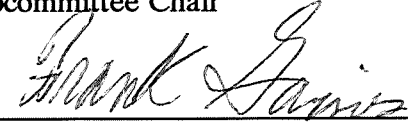
*SWAM
March 19, 1992
Attachment 3*

Senate Subcommittee Recommendation

The Senate Subcommittee recommends the restoration of the \$105,032 removed in House Committee of the Whole action.



Senator August Bogina, Jr.
Subcommittee Chair



Senator Frank Gaines

SUBCOMMITTEE REPORT

Agency: Legislative Coordinating Council **Bill No.** 2707 **Bill Sec.** 3
Analyst: Ahrens **Analysis Pg. No.** 86

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>House Adjustments</u>
State Operations:			
State General Fund	\$ 386,658	\$ 389,557	\$ --
FTE Positions	10.0	10.0	--

Agency Request/Governor's Recommendation

The FY 1993 budget request of the LCC is \$80,046 less than the FY 1992 revised request. Nothing is budgeted for the KPERS investigating committee in FY 1993, thus accounting for \$77,031 of the decrease. Expenses for the Division of Legislative Administrative Services would decline by \$3,021 due to retirement of an employee. Estimated expenses for LCC meetings are virtually unchanged from the current year estimate. The Governor recommends expenditures of \$389,557 for FY 1993, or \$2,899 of salaries and wages above the agency request.

House Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation.

House Committee Recommendation

Concur with Subcommittee.

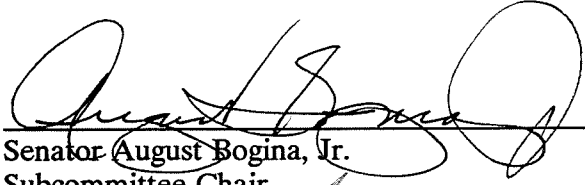
House Committee of the Whole Recommendation

Concur with Committee.


<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 0	\$ 389,557	\$ (8,052)
FTE Positions	0	10.0	0

Senate Subcommittee Recommendation

Delete from the House recommendation \$8,052 from the State General Fund for step movement, longevity bonuses, and merit pool.



Senator August Bogina, Jr.
Subcommittee Chair



Senator Frank Gaines

SUBCOMMITTEE REPORT

Agency: Legislative Research Department **Bill No.** 2707 **Bill Sec.** 3
Analyst: Ahrens **Analysis Pg. No.** 88

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 1,845,383	\$ 1,852,459	\$ --
FTE Positions	35.1	35.1	--

Agency Request/Governor's Recommendation

The FY 1993 budget request of the Legislative Research Department is \$32,436 greater than the revised agency estimate for FY 1991. Of the increase, \$28,936 is for salaries and benefits of the present staff of 35.1 FTE and \$3,500 is for other operating expenditures. The Governor's recommendation adds \$7,076 to the budget request. The amount represents a merit salary pool for employees who are not assigned to the basic state pay plan.

House Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation.

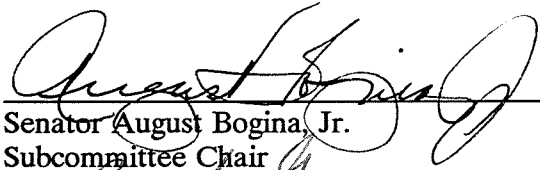
House Committee and Committee of the Whole Action

Concur with Subcommittee.

<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 0	\$ 1,852,459	\$ (54,987)
FTE Positions	0	35.1	0

Senate Subcommittee Recommendation

Delete from the House recommendation \$54,987 from the General Fund for step movement, longevity bonuses, and merit pool.



Senator August Bogina, Jr.
Subcommittee Chair



Senator Frank Gaines

SUBCOMMITTEE REPORT

Agency: Revisor of Statutes

Bill No. 2707

Bill Sec. 3

Analyst: Ahrens

Analysis Pg. No. 90

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 2,234,372	\$ 2,238,067	\$ --
FTE Positions	27.6	27.6	--

Agency Request/Governor's Recommendation

The FY 1993 budget request of the Revisor of Statutes is \$127,711 above the revised expenditure estimate for FY 1992. Salaries and benefits increase \$16,939, and printing of *Kansas Statutes Annotated* is estimated to require an increase of \$126,593. Nonsalary expenses for computing services decrease \$15,921. All other expenses increase \$100. The Governor's recommendation is an increase of \$3,695 to the agency's request. This amount is a merit salary pool for positions not assigned to the basic state salary plan.

House Subcommittee Recommendation

The House Subcommittee concurs with the Governor's recommendation.

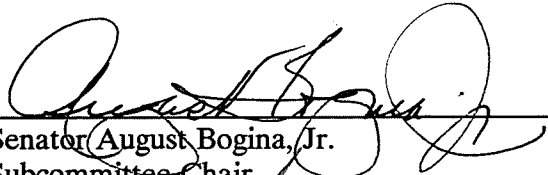
House Committee and Committee of the Whole Recommendation

The Committees concur with the Subcommittee.


<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ --	\$ 2,238,067	\$ (44,632)
FTE Positions	0	27.6	0

Senate Subcommittee Recommendation

Delete from the House recommendation \$44,632 from the State General Fund for step movement, longevity bonuses, and merit pool.



Senator August Bogina, Jr.
Subcommittee Chair



Senator Frank Gaines

SUBCOMMITTEE REPORT

Agency: Legislative Educational
Planning Committee

Bill No. 2707

Bill Sec. 3

Analyst: Ahrens

Analysis Pg. No. 89

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations: State General Fund	\$ 35,550	\$ 35,550	\$ --
FTE Positions	0	0	--

Agency Request/Governor's Recommendation

The agency's FY 1993 budget request is \$141 more than the revised agency estimate for FY 1992. The Governor concurs with the agency's request.

House Subcommittee Recommendation

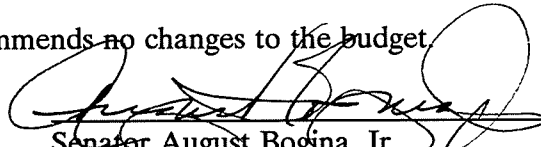
The Legislative Educational Planning Committee is a permanent joint committee established by K.S.A. 46-1208a originally to comply with expired federal requirements for establishment of an educational planning body as a condition to the award of a federal educational planning grant. The Committee now primarily functions, under Legislative Coordinating Council direction, as an interim Committee, although it maintains separate budget status. The Subcommittee recommends the repeal of K.S.A. 46-1208a. Pending passage of such legislation, the Subcommittee recommends no changes to the Governor's recommendation.

House Committee and Committee of the Whole Recommendation


The Committees made no change to H.B. 2707.

Senate Subcommittee Recommendation

The Senate Subcommittee recommends no changes to the budget.



Senator August Bogina, Jr.
Subcommittee Chair



Senator Frank Gaines

SUBCOMMITTEE REPORT

Agency: Legislature

Bill No. 2707

Bill Sec. 4

Analyst: Ahrens

Analysis Pg. No. 92

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 9,661,756	\$ 9,760,490	\$ (61,075)
FTE Positions	30.0	30.0	--

Agency Request/Governor's Recommendation

The FY 1993 budget request for the Legislature as submitted by the LCC totals \$9,661,756, all of which is financed from the State General Fund. The request includes \$374,313 for legislative computerization and \$130,609 for three positions and supporting expenses to constitute a census data analysis unit (in the current year these three positions are dedicated to the legislative redistricting effort).

The Governor recommends a budget of \$9,760,490 for FY 1993, an increase of \$98,734 of salaries and wages above the requested expenditures. The recommendation removes \$14,070 from the amount requested for full-time and temporary employees, adds a \$47,202 merit pool for full-time and temporary employees (2.5 percent of the adjusted total), adds \$50,120 to the requested expenditures for a \$1.50 addition to legislators' per diem compensation and a 2.5 percent increase to leadership pay, and adds a net of \$15,482 for fringe benefits.

House Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following adjustment:

1. Delete \$61,075 added to the budget by the Governor to provide an increase to legislators' per diem compensation and leadership pay.
2. Adjust the appropriation bill by removing \$61,075 and the language pertaining to the compensation increases for legislators.

As pointed out above, the FY 1993 budget for the Legislature provides for continuation of the computing resources added to assist the Legislature in its redistricting efforts. Continuation of these resources beyond redistricting to assist the Legislature in data analysis and computerization of legislative procedures was contemplated by the Special Committee on Legislative, Judicial and Congressional Apportionment in making its recommendations to the LCC for acquiring the present automated system. The LCC adopted that recommendation. Our immediate recommendation is to retain these resources in the FY 1993 budget; particularly in view of the fact that the redistricting

*SWAM
March 19, 1992
Attachment 4*

effort has not been completed. However, the future uses for these computing resources need to be defined in more detail before the Subcommittee is totally satisfied as to the merits of continuing their financing beyond redistricting.

House Committee Recommendation

Concur with Subcommittee.

House Committee of the Whole Recommendation

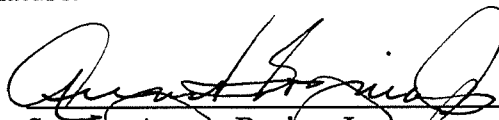
The Committee of the Whole amended H.B. 2707 by adding a proviso prohibiting expenditures for official out-of-state travel prior to the 1993 Session by a legislator who is not a candidate for the office of representative or senator or who is not a member-elect of the House or Senate.

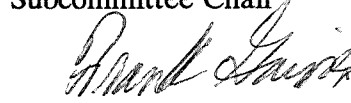
<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Sub. Adjustments</u>
State Operations:			
State General Fund	\$ (61,075)	\$ 9,699,415	\$ (494,582)
FTE Positions	--	30.0	(3.0)

Senate Subcommittee Recommendation

Concur with the House recommendation with the following adjustments:

1. Remove \$130,609 for three positions and supporting expenses which would comprise a census data analysis unit.
2. Remove the \$374,313 for 100 microcomputers and related equipment (including provision for networking) and replace with \$48,000 for 100 personal word processors to equip legislative offices which do not have word processing capabilities.
3. Remove \$37,660 included for a merit pool of 2 1/2 percent for full-time and temporary employees of the Legislature.


 Senator August Bogina, Jr.
 Subcommittee Chair


 Senator Frank Gaines

SUBCOMMITTEE REPORT

Agency: Division of Post Audit

Bill No. 2707

Bill Sec. 5

Analyst: Ahrens

Analysis Pg. No. 94

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 1,537,833	\$ 1,541,548	\$ (61,609)
State General Fund	1,427,833	1,431,548	(56,759)
FTE Positions	19.0	19.0	--

Agency Request/Governor's Recommendation

The FY 1993 budget request of the Division of Post Audit is financed by \$1,427,833 from the State General Fund and \$110,000 from the Audit Services Fund. The General Fund request represents an increase of \$88,261 and financing from the Audit Services Fund decreases \$19,914, so that the net requested budget increase is \$68,347. Expenditures for salaries and wages increase \$17,718 with no change in the current 19 FTE positions. Contracted audits are estimated to require \$366,000 in FY 1993, up \$40,205 from the FY 1992 estimate. There is a net increase of \$10,424 for all other items of expenditure. The Governor recommends an increase of \$3,715 to the agency's General Fund budget request. The additional amount is a merit pool plus related fringes.

House Subcommittee Recommendation

Subsequent to publication of the Governor's Budget Report, the Legislative Post Audit Committee reduced its budget request by \$10,643 of salaries and wages to reflect savings due to turnover and by \$50,700 of contractual services reflecting actual awards for contract audit services. The Subcommittee recommends that these adjustments be made plus \$266 to adjust the 2.5 percent merit pool recommended by the Governor. The net effect of the Subcommittee's recommendation is to reduce General Fund expenditures by \$56,759 and special revenue fund expenditures by \$4,850.

House Committee and Committee of the Whole Recommendation

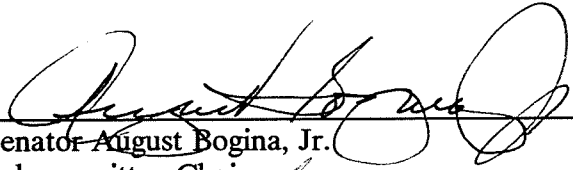
The Committees concurred with the Subcommittee.

<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ (61,609)	\$ 1,479,939	\$ (28,961)
State General Fund	(56,759)	1,374,789	(28,961)
FTE Positions	0	19.0	0

*SWAM
March 19, 1992
Attachment 5*

Senate Subcommittee Recommendation

Delete from the House recommendation \$28,961 for step movement, longevity, and merit pool.



Senator August Bogina, Jr.
Subcommittee Chair



Senator Frank Gaines

SWAM
 March 19, 1992
 Attachment 6

1 *further*, That expenditures from this account for such additional
 2 amounts of per diem compensation for such members, mem-
 3 bers-elect and officers of the legislature shall be made under
 4 the same circumstances, in the same manner and at the same
 5 times that per diem compensation is payable to such members,
 6 members-elect and officers of the legislature by statute: *And*
 7 *provided further*, That, in addition to such additional per diem
 8 compensation, expenditures shall be made from this account
 9 for an additional amount of compensation for each officer of
 10 the legislature specified in K.S.A. 46-137b and amendments
 11 thereto in an amount for such officer equal to 2.5% of the
 12 amount of compensation payable to such officer under K.S.A.
 13 46-137b and amendments therefor for fiscal year 1992: *And*
 14 *provided further*, That expenditures from this account for such
 15 additional amount of compensation for each such officer shall
 16 be made in the same manner and at the same times that com-
 17 pensation is payable to such officers under K.S.A. 46-137b and
 18 amendments thereto each payroll period chargeable to fiscal
 19 year 1993: *Provided, however*, That no expenditures shall be made
 20 from this account for any expenses for any out-of-state travel prior
 21 to the 1993 regular session of the legislature by any person who is
 22 a member of the legislature and who is not a candidate for nom-
 23 ination or election to the office of senator in the Kansas senate or
 24 representative in the Kansas house of representatives at the time
 25 of any such travel or is not a member-elect to any such office].

26 (b) There is appropriated for the above agency from the following
 27 special revenue fund all moneys now or hereafter lawfully credited
 28 to and available in such fund, except that expenditures shall not
 29 exceed the following:

30 Legislative special revenue fund No limit
 31 Sec. 5.

32 DIVISION OF POST AUDIT

33 (a) There is appropriated for the above agency from the state
 34 general fund the following:

35 Operations (including legislative post audit committee) ... \$1,387,501 \$1,330,832

36 *Provided*, That any unencumbered balance in excess of \$100 as of
 37 June 30, 1992, is hereby reappropriated for fiscal year 1993.

38 (b) There is appropriated for the above agency from the following
 39 special revenue funds all moneys now or hereafter lawfully credited
 40 to and available in such funds, except that expenditures shall not
 41 exceed the following:

42 Audit services fund..... No limit
 43 Conversion of materials and equipment fund..... No limit

Provided, That the division of post
 audit is hereby authorized to fix,
 charge and collect fees for copies of
 public records of the division,
 including distribution of such
 copies: Provided further, That such
 fees shall be fixed to recover all or
 part of the expenses incurred for
 reproducing and distributing such copies
 and shall be consistent with policies
 and fees established in accordance with
 K.S.A 46-1207a and amendments
 thereto: And provided further, That all
 moneys received for such fees shall be
 deposited in the state treasury to the
 credit of this fund.

**LEGISLATIVE POST AUDIT
PROPOSED FEE SCHEDULE**

Charges for Copies of Audit Working Papers: (consistent with LCC policies)

Members of the Legislature: No Charge.

State Agencies: No Charge.

**Members of the Public(*): \$.50/1st page.
\$.15/add'l pages.
\$ 20/hour for staff time.**

* The Legislative Post Auditor may waive these fees, as appropriate.

Charges for Copies of Completed Audit Reports: (consistent with policies of nine of 18 other state audit agencies contacted)

Members of the Legislature: No Charge.

**State Agencies (*): No Charge.
Limit of 10 copies.
Master copy will be provided to the agency if additional copies are needed.**

**Members of the Public (*): No Charge.
Limit of 10 copies.
Master copy will be provided to the requestor if additional copies are needed.**

* The Legislative Post Auditor may waive these limits, as appropriate.

*SWAM
March 19, 1992
Attachment 7*

SUBCOMMITTEE REPORT

Agency: Governor

Bill No. 2707

Bill Sec. 6

Analyst: Ahrens

Analysis Pg. No. 96

<u>Expenditure Summary</u>	<u>Agency Req. FY 93</u>	<u>Gov. Rec. FY 93</u>	<u>Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ 1,674,562	\$ 2,021,050	\$ (2,031)
State General Fund	1,592,750	1,939,238	(2,031)
FTE Positions	30.5	34.5	--

Agency Request/Governor's Recommendation

The FY 1993 budget request of the agency is financed by \$1,592,750 from the State General Fund and \$81,812 from the Special Revenue Program Fund. Expenditures for salaries and wages total \$1,175,872, an increase of \$44,294 or 3.9 percent above the revised FY 1992 estimate. The estimated number of positions financed for FY 1993 is 30.5, the same as is financed for FY 1992. Nonsalary expenses total \$498,690 or \$2,760 less than estimated for FY 1992.

The Governor recommends expenditures of \$2,021,050 for FY 1993, all financed from the State General Fund. The Governor concurs with the original FY 1993 requested amounts and adds \$346,488 and 4.0 positions for the office of special prosecutor (KPERs-related). The budget for the special prosecutor includes salaries and wages of \$137,873 for an attorney and 3.0 paralegal positions. The special prosecutor is paid on a contractual basis in the amount of \$69,680. Other budget items for the office include \$67,500 for other contract attorneys, \$22,500 for court reporter services and expert witnesses, \$29,400 for office rental, and \$19,535 for other purposes. The Governor recommends that a 2.5 percent salary increase to her salary for FY 1993 be authorized by appropriation act. The present salary as fixed in accordance with statutes is \$74,235.

House Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation, except as follows:

1. Remove \$2,031 from estimated expenditures which represents the 2.5 percent salary increase, including fringes.
2. Amend the appropriation bill to delete the \$2,031 and strike the language pertaining to the salary increase for the Governor.

House Committee Recommendation

The House Committee shifted the \$346,488 for the Office of Special Counsel to H.B. 2705.

*SWAM
March 19, 1992
Attachment 8*

House Committee of the Whole Recommendation

Concur with House Committee.

<u>Expenditure Summary</u>	<u>House Adj. FY 93</u>	<u>House Rec. FY 93</u>	<u>Senate Subcommittee Adjustments</u>
State Operations:			
All Funds	\$ (2,031)	\$ 2,019,019	\$ (26,043)
State General Fund	(2,031)	1,937,207	(26,043)
FTE Positions	--	34.5	--

Senate Subcommittee Recommendation

1. Shift the \$346,488 for the Office of Special Counsel back to H.B. 2707.
2. Remove \$26,043 included for merit pool of 2 1/2 percent.


 Senator August Bogina, Jr.
 Subcommittee Chair


 Senator Frank Gaines