

Approved: 3-21-00  
Date

MINUTES OF THE SENATE COMMITTEE ON PUBLIC HEALTH AND WELFARE.

The meeting was called to order by Chairperson Sandy Praeger at 10:00 a.m. on March 15, 2000 in Room 526-S of the Capitol.

All members were present except:

Committee staff present: Norman Furse, Revisor of Statutes  
Lisa Montgomery, Revisor of Statutes  
Hank Avila, Legislative Research Department  
JoAnn Bunten, Committee Secretary

Conferees appearing before the committee:

Christine Ross-Baze, Director, Child Care Licensing and Registration Section, KDHE  
Leadell Ediger, Executive Director, Kansas Assn. of Child Care Resource and Referral Agencies  
Doug Bowman, Kansas Coordinating Council on Early Childhood Developmental Services

Others attending: See attached list

**Hearing on HB 2755 - Prohibitions and restrictions on disclosure of certain information by the Department of Health and Environment**

Christine Ross-Baze, Director, Child Care Licensing and Registration Section, KDHE, testified before the Committee in support of **HB 2755** that would clarify the distribution of personal information of maternity centers, child care facilities, and family day care homes regulated by the Department of Health and Environment. Ms. Ross-Baze noted that KDHE requests that the bill include those entities who have been issued administrative enforcement orders by the Department. She pointed out that without this authority, parents and the public must rely on the noncompliant child care provider to give notification that the care they are providing is unsafe, and this information is not always passed onto the parents. (Attachment 1) During Committee discussion the Chair noted that the Department of Education has requested that they have the ability to inform the sponsoring food supplier when a home is no longer licensed. The Revisor will draft language that would address that issue as an amendment to the bill.

Leadell Ediger, Executive Director, Kansas Association of Child Care Resource and Referral Agencies, expressed her support for the bill and asked that clarification be made if her organization would have access to information from KDHE and whether they could provide that information to their clients. (Attachment 2)

Doug Bowman, Kansas Coordinating Council on Early Childhood Developmental Services, expressed his support for **HB 2755** and asked the Committee to consider the following: (1) Provide information to parents regarding the track record of a certain provider, (2) allow KDHE to provide the name, number and address of the local child care referral agency to the parent, and (3) provide information to the public when KDHE enacts an enforcement action against a child care provider. (Attachment 3) During Committee discussion Dr. Moser, Director of Health, KDHE, provided the Committee with information relating to how KDHE determines when a child care facility should be suspended. He noted that a minimum offense is not defined in their list of possible suspensions. A member of the Committee suggested that the provider inform the parents of their suspension, and a financial penalty be enforced if the provider fails to comply with that request. The Chair asked the Revisor to review the bill and incorporate language in a balloon of the bill of all suggestions that were made during the hearing.

**Discussion of Amendments to HB 2780 - Establishing a task force on long-term care services**

The Chair briefed the Committee on a balloon of the bill and would increase the number of providers on the task force from three to four and extend the task force to July 1, 2002. (Attachment 4) During Committee discussion it was suggested that the task force be extended to January 2005, that a definition of long-term care be included in the bill, and the task force be directed to develop creative, common sense solutions to problems relating to long-term care that would not require additional funds. The Chair requested the Revisor draft another balloon of the bill that would include these suggestions for consideration by the Committee.

**Adjournment**

The meeting was adjourned at 11:00 a.m.

The next meeting is scheduled for March 16, 2000.





**KANSAS**  
**DEPARTMENT OF HEALTH & ENVIRONMENT**  
BILL GRAVES, GOVERNOR  
Clyde D. Graeber, Secretary

---

Testimony

Presented to

**Senate Public Health and Welfare**

March 15, 2000

by

Kansas Department of Health and Environment

Thank you for the opportunity to testify today on HB 2755 concerning disclosure of certain information to the public by the Department of Health and Environment. The Department requested the introduction of HB 2755 in anticipation of using the Internet for disseminating public record information concerning maternity centers, child care facilities and family day care homes regulated by the Department. Disclosing individual identifying information, including the name, address and telephone number of day care home providers and family foster home providers had been raised as a safety concern. Following discussion, the House Committee on Health and Human Services amended the original language to be more protective in releasing identifying information in general regardless of form. The committee cited overall safety concerns in accessing identifying information, including the name, address and telephone number of maternity centers, child care facilities and family day care homes.

The Child Care Licensing and Registration Section of the Department of Health and Environment licenses approximately 9,000 child care facilities, including family foster homes, group boarding and residential facilities and child day care homes, preschools and child care centers. The Department also registers approximately 3,000 family day care homes.

A typical home child care provider is one adult female caring for 6 to 10 children in a neighborhood where many of the neighbors are away at work. When the exact location of the day care home is readily accessible to the general public, the child care provider may feel more vulnerable to situations that put themselves and the children at risk. Day care home providers are much more comfortable with giving permission to the local health department or the local resource and referral agency to give out their information to parents looking for child care. In addition to safety concerns, child care providers are also concerned about being inundated with telephone calls during the day which interfere with the care of the children.

In addition to day care home providers, the Department also licenses family foster homes. Foster parents often care for children who have been taken away from their parents due to abuse or neglect or sexual abuse. Having general public access to the exact location and telephone number of foster parents is a safety concern for the foster parents and the children in care.

Senate Public Health & Welfare  
Date: 3-15-00  
Attachment No. 9

HB 2755 addresses these concerns in the following ways:

The amendments proposed to K.S.A. 65-506 expands the list of agencies required to receive licensing and registration information. The Department currently provides information to these agencies both electronically and in the form of paper reports. The Department intends to further link child care facility information to these agencies electronically.

The amendment proposed to K.S.A. 65-525 (a) continues to prohibit the disclosure of information identifying individuals unless the disclosure is required by law. The identifying information of children in care is an example of information that would not be released under this provision.

The amendment proposed to K.S.A. 65-525 (b) prohibits the release of the name, address and telephone number of child care facilities and family day care homes unless required by law. The Department currently makes this information accessible to the public in the form of paper reports upon written request.

K.S.A. 65-525(c) allows the information in (a) and (b) to be released to certain agencies. The agencies receiving information under (c) may not release the information further without the individual's permission or unless required by law.

While the Department supports the passage of HB 2755, the Department requests that the bill be amended to authorize the Department to release publically, the name and city/town location of maternity centers, child care facilities and family day care homes that have been issued administrative enforcement orders by the Department. Without this authority, parents and the public must rely on the noncompliant child care provider to give notification that the care they are providing is unsafe. This information is not always passed on to parents leaving children at risk in unsafe and hazardous situations.

Thank you. I am available to answer any questions.

Presented by

Christine Ross-Baze, Director  
Child Care Licensing and Registration Section



The Kansas Association of Child Care Resource and Referral Agencies  
KACCRRRA

Testimony to  
Senate Public Health and Welfare Committee  
March 15, 2000

**The Need for Quality Early Care and Education Services**

Recent brain development research indicates that 90% of brain growth takes place during the first three years of life. With over 50% of one year old children and nearly 85% of five year old children being cared for in some form of non-parental child care, the implications of the brain development research are staggering. According to *Children, Youth and Violence: Searching for Solutions* "relationships with other people early in life are the major sources of development of the areas of the brain that control emotional and social functions. Warm, responsive relationships with parents, child care professionals and other adults are therefore crucial to healthy emotional development." An overwhelming majority of families with young children face stressful, confusing decisions about choosing early care and education settings since affordable quality child care options are few. A solid infrastructure of quality care and education is necessary to fully support the needs of children and families.

One segment of the infrastructure which is community based and which has the capacity to improve the effectiveness of the delivery of child care services by coordinated attention to the supply, demand and quality is child care resource and referral. Child Care Resource and Referral agencies counsel parents on the available choices, assist with the professional development of providers and programs and train individuals who work with children.

**Overview of KACCRRRA**

The mission of the Kansas Association of Child Care Resource and Referral Agencies (KACCRRRA) is to promote the growth and development of high quality resource and referral services; and to exercise state policy leadership to build a diverse; high quality child care system with parental choice and equal access for all families. KACCRRRA is a network of sixteen resource and referral (R&R) agencies that provide services to families in all 105 counties in Kansas. KACCRRRA is a 501(c)3 not-for-profit organization that was founded in 1990.

**Services Provided by KACCRRRA**

KACCRRRA agencies assist families searching for child care:

- They help families understand and evaluate available child care options
- They provide referrals to family child care homes, centers, preschools, school-age care or Head Start programs
- They respond to special concerns and needs of parents pertaining to difficult or changing work schedules or special health care needs of the child

KACCRRRA agencies work to build and maintain the supply of local child care:

- They conduct educational workshops and trainings for child care providers
- They offer consultation to new and existing providers
- They recruit and train new providers
- They support the retention of existing providers in the field of child care

Senate Public Health & Welfare  
Date: 3-15-00  
Attachment No. 2

KACCRRA agencies help to educate communities about local child care needs and issues:

- They collect, analyze and share information on availability, affordability and quality of local child care
- They identify gaps in child care services
- They plan and develop new child care options

KACCRRA agencies can provide employers with child care information:

- They can consult with employers about the child care needs of their employees and provide information on child care options
- They offer enhanced referral services as an employee benefit
- They offer and develop child care resources specific to the organization's needs
- They offer and present parenting seminars for employees at their worksite

A summary of the growth of KACCRRA is as follows:

Year	# of Agencies	# of Counties Served	# of Parent Calls	# of Materials Distributed to Providers	# of Trainings Held	# of Providers Attending Training	Funding Level from SRS
1993	8	23	8,248	NA	NA	NA	80,000
1994	10	30	18,403	44,011	NA	NA	101,580
1995	12	45	17,328	NA	NA	NA	165,000
1996	13	49	17,868	NA	NA	NA	183,570
1997	13	67	18,405	83,866	693	9,504	300,000
1998	16	105	21,251	120,866	1,065	11,126	600,000
1999	16	105	20,160	129,099	716	2,470	665,000

Major financial support for KACCRRA is from the Kansas Department of Social and Rehabilitation Services. The funds from SRS go directly to the local R&R's to provide direct services to families and child care providers; only 8% of the funds are used to fund the KACCRRA office. In addition, we use funding from SRS to leverage private foundation support for special projects. These projects include: the expansion and establishment of the additional R&R's in order to offer services in all 105 counties; to develop a standardized database system that allows for better referrals to parents, better tracking of information and a more streamlined process of reporting; the publication of Child Care Options for Employers written by KACCRRA and K-State Cooperative Extension Service.

We continue to work at building the capacity of the R&R's to accommodate additional requests from parents, providers, and businesses. Our intention is to continuously improve the quality of services offered by the individual agencies and to make our services easily accessible to families and providers.

KACCRRA agencies have professional expertise in child care, and its connections with local parents and child care providers make it a highly credible and viable partner. Local and state agencies see the value of R&R's and recommend they be used locally to deliver services.

In House Bill No. 2755 we see that child care resource and referral agencies are mentioned and therefore we are requesting some clarity.

1. Does this bill infer that CCR&Rs will have access to information from KDHE and will we be able to provide families with this important information?
2. Our goal is to have information about child care providers that will help parents be informed consumers of child care. At the present time, we have in place a way for child care providers to request that we do not refer their name to parents seeking child care. However, keeping their information on our database allows KACCRRRA to utilize this information for the purpose of information about the supply and demand of child care. Restricting the information from the R&R system could hamper families as they seek to understand and evaluate their available child care options.

If KACCRRRA can be of further service to this committee, please don't hesitate to contact me.  
Thank you.

Leadell Ediger  
KACCRRRA Executive Director  
115 E. Walnut  
Salina, KS 67401

785-823-3343 phone  
785-823-3385 fax  
kaccrra@kaccrra.org

• MAKE A •  
*Difference*

Testimony before Senate Public Health & Welfare Committee  
HB 2755 - March 15, 2000

My name is Doug Bowman, and I am the staff to the Kansas Coordinating Council on Early Childhood Developmental Services. Our statutory mission is to advise state government on matters pertaining to preschool children with developmental delays/disabilities.

We would suggest three areas that need your attention in regards to HB 2755. We believe there are certain points in time when the information found in KDHE's Child Care Licensing Section are needed, in order for parents to be informed consumers of child care services.

1. When a parent is "shopping around" for child care, it would be useful for a parent to know the track record of a certain provider. If this child care provider has had ten citations for safety issues in the last ten months, parents need to know. If this information isn't available directly from KDHE, it is logical to make it available from the local child care referral agency. The law should clearly state that this information flows freely and regularly from KDHE to each local child care referral agency.
2. Since these child care referral agencies are also licensed by KDHE, they must be specifically addressed in the law, as well. When a parent calls and asks KDHE for licensing information, KDHE must be allowed to provide the name, number, and address of the local child care referral agency to the parent.
3. Finally, when KDHE enacts an enforcement action against a child care provider, this information should be provided to the public. A press release giving the provider's name and hometown should suffice to alert parents of their need for vigilance. Specific street addresses could be left out, which would meet the security concerns of providers. Relying upon the good intentions of the provider to notify parents seems optimistic.

Thank you for the opportunity to testify on this matter. I would be happy to answer any questions that you may have.



HOUSE BILL No. 2780

By Committee on Health and Human Services

2-1

10 AN ACT establishing a task force on long-term care services to study  
11 services provided by the public and private sector to citizens of the  
12 state and laws and rules and regulations relating to such services.

13  
14 WHEREAS, The legislature is vitally interested in the welfare of the  
15 citizens of this state who are consumers of long-term care services; and

16 WHEREAS, Services provided for citizens who are consumers of long-  
17 term care by state agencies and private vendors should be provided ef-  
18 ficiently, economically and sensitively in a supportive state regulatory en-  
19 vironment that partners with long-term care providers to promote  
20 continuous quality improvement; and

21 WHEREAS, Over the past several legislative sessions major statutory  
22 changes have been enacted relating to adult care homes and the respon-  
23 sibility for the administration of long-term care programs: Now,  
24 therefore,

25  
26 *Be it enacted by the Legislature of the State of Kansas:*

27 Section 1. (a) A task force on long-term care services is hereby es-  
28 tablished to study the implementation and operation of recent statutory  
29 changes relating to adult care homes, the long-term care ombudsman  
30 program, state and federal laws and rules and regulations which impact  
31 on the services provided by government and the private sector to citizens  
32 who are consumers of long-term care services ~~in skilled nursing facilities,~~  
33 ~~assisted living facilities or community-based services,~~ the financing of  
34 these services, both public and private, and such other matters relating  
35 thereto as the task force deems appropriate.

36 (b) The task force shall consist of 19 members appointed as follows:

37 (1) Six members appointed by the legislative coordinating council,  
38 three of whom shall be consumers of long-term care services ~~which may~~  
39 ~~include representatives of groups interested in improvement of the qual-~~  
40 ~~ity of long-term care, dementia, Alzheimer's disease and long-term care~~  
41 ~~for persons with disabling conditions~~ and three of whom shall be providers  
42 of long-term care services ~~which may include a representative of for profit~~  
43 ~~adult care homes, nonprofit adult care homes, free-standing assisted living~~

the effectiveness of partnering activities  
between state agencies and long term care  
providers

Quere: Increase providers from 3 to 4 and  
make other adjustments to the bill  
accordingly.

Senate Public Health & Welfare  
Date: 3-15-00  
Attachment No. 4

4-2

1 ~~facilities and adult day care—home health care agencies;~~

2 (2) two members appointed by the president of the senate and the  
3 speaker of the house of representatives, one of whom shall be a member  
4 of the senate committee on ways and means and one of whom shall be a  
5 member of the house committee on appropriations and both of whom  
6 shall be from different political parties;

7 (3) two members appointed by the president of the senate, one of  
8 whom shall be a member of the senate committee on public health and  
9 welfare and one of whom shall be a member of the senate committee on  
10 financial institutions and insurance;

11 (4) two members appointed by the minority leader of the senate, one  
12 of whom shall be a member of the senate committee on public health  
13 and welfare and one of whom shall be a member of the senate committee  
14 on financial institutions and insurance;

15 (5) two members appointed by the speaker of the house of represen-  
16 tatives, one of whom shall be a member of the house committee on health  
17 and human services and one of whom shall be a member of the house  
18 committee on insurance;

19 (6) two members appointed by the minority leader of the house of  
20 representatives, one of whom shall be a member of the house committee  
21 on health and human services and one of whom shall be a member of the  
22 house committee on insurance. Of the ~~eight~~ **six** members appointed by  
23 the legislative coordinating council, no more than two members shall  
24 reside in any one congressional district;

25 (7) one member shall be the secretary of social and rehabilitation  
26 services or the secretary's designee;

27 (8) one member shall be the secretary of health and environment or  
28 the secretary's designee; and

29 (9) one member shall be the secretary of aging or the secretary's  
30 designee.

31 (c) The legislative coordinating council shall appoint the chairperson  
32 and vice-chairperson from among the membership of the task force, the  
33 chairperson to be appointed from among the legislator members of the  
34 task force. Staffing for the task force shall be available from the legislative  
35 research department ~~and~~, the revisor of statutes office **and the division**  
36 **of legislative administrative services** if authorized by the legislative  
37 coordinating council.

38 (d) The members of the task force shall receive reimbursement for  
39 attending meetings of the task force as authorized by the legislative co-  
40 ordinating council consistent with the provisions of K.S.A. 46-1209 and  
41 amendments thereto.

42 (e) The task force shall prepare and submit a report and recommen-  
43 dations to the governor and to the legislature on or before January 8,

4-3

1 2001.

2 (f) The provisions of this section shall expire on July 1, 2001.

3 Sec. 2. This act shall take effect and be in force from and after its

4 publication in the Kansas register.

Quere: Keep taskforce in existence until  
July 1, 2002 and make other adjust-  
ments to the bill accordingly?