

MINUTES OF THE HOUSE BUSINESS, COMMERCE AND LABOR COMMITTEE.

The meeting was called to order by Chairperson Al Lane at 9:10 a.m. on January 18, 2001 in Room 521-S of the Capitol.

All members were present except: Rep. John Ballou - excused
 Rep. Joe Humerickhouse - excused
 Rep. Dan Johnson - excused
 Rep. Doug Patterson - excused
 Rep Rick Rehorn - excused

Committee staff present: Bob Nugent, Revisor of Statutes
 Renaë Jeffries, Revisor of Statutes
 Jerry Donaldson, Legislative Research Department
 Bev Adams, Committee Secretary

Conferees appearing before the committee: Martha Gabehart, KDHR

Others attending: See attached list

Introduction of Bills

Rep. Ruff made a motion that the committee introduce a bill concerning employers access to injured workers health records in Workers Compensation suits. Rep. Swenson seconded the motion. The motion carried.

Presentation by Kansas Commission on Disability Concerns

Martha Gabehart, Director of Commission on Disability Concerns (KCDC), Kansas Department of Human Resources (KDHR) appeared before the committee to give an overview of what was happening in KCDC concerning any legislation that might come before the Legislature concerning the commission. She furnished the members with booklets titled: *The American With Disabilities Act, Your Employment Rights as an Individual With a Disability*; *The Americans With Disabilities Act, Your Responsibilities as an Employer*; and *The Americans with Disabilities Act, Questions and Answers*. The booklets are available at her office, 1430 SW Topeka Boulevard, Topeka, Kansas 66612-1877.

She informed the committee of a case before the Supreme Court. The case began as a complaint under the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and Family Medical Leave Act (FMLA) When it reached the United States Supreme Court, it was combined with another case and it became an issue of whether or not the individuals involved could sue the State of Alabama under federal law.

Ms. Gabehart also talked about: A possible bill to increase the State's Minimum Wage; Medicaid Buy-In for people with disabilities who become gainfully employed and leave the Social Security rolls; and AgrAbility, a proposed program to help farmers with disabilities access technology that would help them continue farming. She answered several questions from the committee during her presentation. ([Attachment 1](#))

Overview of Kansas Workforce Investment Partnership (KWIP)

Barb Reavis, Workforce Development Coordinator, Office of the Governor, gave the committee an overview of KWIP, its makeup and purpose. The KWIP Council was mandated by the Workforce Investment Act of 1998. The council is composed of representatives from state government, business, education, community based organizations, and labor. The council meets five times a year. When it was established, it blended three existing groups which had similar missions. Its purpose is to provide information to the Governor, the Legislature, public and private agencies and the general public on matters pertaining to: employment and training plans, programs, services and facilities. The council also assists the Governor in the development and the continued improvement of a seamless, collaborative, universally accessible state-wide workforce

CONTINUATION SHEET

MINUTES OF THE HOUSE BUSINESS, COMMERCE AND LABOR COMMITTEE, Room 521-S
Statehouse, at 9:10 a.m. on January 18, 2001

investment system and to oversee the implementation of the Workforce Investment Act (WIA) of 1998. The partner agencies in workforce development are the Kansas Department of Human Resources (KDHR), Social and Rehabilitation Services (SRS), Commerce and Housing, Kansas Regents and Education.

The WIA of 1998 was implemented in Kansas in July of 2000. The state is divided into five areas with more than 20 "One Stop Career Centers." There are still turf issues between the agencies, but KWIP is working to define their role as well as the state and local roles of the agencies involved. They are studying the funding flow to try to find the "\$400 million" that is supposed to be available for "One Stop." Ms. Reavis answered several questions from the committee during her presentation. (Attachment 2)

Rep. Welshimer made a motion for the committee to introduce a bill that would increase the state minimum wage to follow the guidelines of the federal minimum wage. Rep. Levinson seconded the motion. The motion passed.

Chairman Lane adjourned the meeting at 9:50 a.m. The next meeting is scheduled for Tuesday, January 23, 2001.

HOUSE BUSINESS, COMMERCE AND LABOR COMMITTEE GUEST LIST

DATE: January 18, 2001

NAME	REPRESENTING
Marta Gebhart	Hamon Resources Disability Concerns
Katy Evans	SRS-EES
Brenda Eddy	ATK
Darwin Hirsch	KDOA
Krista Casperich	OSA/OPS
William Sanders	KDHR
SCOTT SCHNEIDER	GIBBA
anthony a Fedak	Admin-ADA coordinator
BETHY Amos	HINT HILLS LEADERSHIP
Al E. Hoop, Sr	Hint Hills Leadership
Marianne Deade	HCP - SRS
Mike Kuttles	Ks. Gov't Consulting
Barb Remis	KWIP



KANSAS

Bill Graves
Governor

DEPARTMENT OF HUMAN RESOURCES
Kansas Commission on Disability Concerns

Richard E. Beyer
Secretary

Presentation to the
House Business, Commerce and Labor Committee
January 18, 2001
By Martha K. Gabehart
Executive Director
Kansas Commission on Disability Concerns

Thank you Chairman Lane and members of the committee. I appreciate the opportunity to present information to you on disability issues that might come before you, either as a committee or as the entire legislature, during the course of this legislative session.

Supreme Court: The Board of Trustees of the University of Alabama et al v. Garrett et al

This case began as a complaint under the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and Family Medical Leave Act (FMLA). When it reached the United States Supreme Court, it became an issue of whether or not the individuals involved could sue the State of Alabama under federal law. (See handout)

Potential impact on the State of Kansas (page 4 of handout): Garrett addresses ADA employment discrimination claims against the State. Depending on the scope of the Supreme Court's ruling, the decision could mean:

State employers may no longer be subject to federal ADA suits for failure to comply with the ADA's mandate against employment discrimination. This could result in employees who work for private employers or for local or federal government employers having more civil rights protections than state governmental employers. As a result, state employers may not be subject to federal ADA lawsuits for refusing to hire people with disabilities or failing to provide reasonable accommodations for their employees with disabilities.

States may no longer be subject to federal ADA suits for failing to comply with the ADA's integration mandate. People who are unjustifiably institutionalized in state hospitals and nursing homes may no longer have recourse against the State under the ADA in federal court. In short, the Supreme Court's decision in Garrett could undo its prior ruling in Olmstead.

States may no longer be subject to federal ADA suits for failing to make their buildings and services accessible. State capitols, state courts and state universities that do not provide wheelchair ramps, sign language interpreters and materials in accessible formats may be immune from federal ADA lawsuits.

House Business, Commerce & Labor Committee

1-18-01

Attachment 1

None of these issues would necessarily come before this committee, but may come up in other committees and the legislature as a whole.

Increase in State's Minimum Wage

The Kansas Action Network will be working on having a bill introduced to increase the State's minimum wage. Although I do not have any bill text to share, my understanding is that the bill would amend K.S.A. 44-1203 to bring the state in line with the federal minimum wage. The Kansas Commission on Disability Concerns supports this initiative because it helps people with disabilities become more independent of Social Security and any other assistance programs.

To my knowledge the bill has not been introduced.

Medicaid Buy-In

The Medicaid Buy-In program is a program that will allow people with disabilities who become gainfully employed and leave the Social Security rolls to pay for Medicaid benefits through a prorated premium. This program is a part of implementation of the Ticket to Work/Work Incentives Improvement Act (TWWIA).

TWWIA has two parts. The Ticket to Work piece is a voucher system (called a ticket) that allows a Social Security beneficiary to choose his or her own case manager and training provider and develop his or her own plan to become employed. Kansas was not chosen as one of the pilot states, so the ticket won't be available in Kansas for at least a year and possibly two or three years.

The Work Incentives Improvement piece removes disincentives that keep people from leaving the Social Security rolls. One of those disincentives has been the loss of health care benefits provided through Medicaid. The implementation of the Medicaid Buy-In program allows beneficiaries to pay a premium in order to keep health care benefits in place. The Dept. of Social and Rehabilitation Services (SRS) Health Care Policy division received a grant from the Health Care Financing Administration (HCFA) to change the current state Medicaid infrastructure to accommodate the buy-in part of the program.

Although this program will probably not come through your committee, it will affect business in Kansas. Employers who cannot afford to provide health care benefits will be able to hire people with disabilities who already have benefits to keep them healthy enough to work. Those employers whose current insurance premiums would increase by having someone with a significant disability on the payroll will be saved from those increased premiums if the person with a disability or the employer purchases his/her Medicaid benefit.

AgrAbility

AgrAbility is a proposed program to help farmers with disabilities access technology that would help them continue farming. The proposed project would require \$140,000 of State General Fund money to match \$517,277 of federal Vocational Rehabilitation money. (See handout)

The Board of Trustees of the University of Alabama et al v. Garrett et al

Initial Allegations

Patricia Garrett had been a state employee at the University of Alabama since 1977, starting as a nurse. Working her way up through different departments, she earned a master's degree and received several promotions, including one in June 1992, to Director of OB/GYN/Neonatal Services.

In 1994, Garrett was diagnosed with breast cancer and underwent surgeries to remove her lymph nodes. In March 1995, Garrett was told that a subordinate would be replacing her and she would be sent to a satellite location.

Garrett took four months leave under the Family and Medical Leave Act of 1993 (FMLA). When she returned to work in July 1995, it was initially agreed that she would continue in her previous position. Nearly a week later, she was demoted and received a significantly lower salary.

Garrett filed a federal lawsuit against the Board of Trustees at the University of Alabama, alleging discrimination under the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act, and the FMLA. In federal district court, the judge consolidated her suit with a similar case, Ash v. Alabama Department of Youth Services.

Ash was suing under only the ADA and the Rehabilitation Act. Ash suffers from severe asthma and alleges the agency violated the ADA by failing to reasonably accommodate his asthma by not enforcing the agency's no-smoking rule.

The judge dismissed both suits on summary judgment on the grounds that the 11th Amendment grants sovereign immunity to states. Sovereign immunity is a doctrine, which precludes bringing suit against a government without its approval. Garrett and Ash appealed the decision.

In the 11th Circuit Court of Appeals, the United States intervened on behalf of Garrett and Ash to defend the constitutionality of Congress's removal of 11th Amendment immunity. In a 2-1 opinion, an 11th Circuit panel reversed and remanded, holding that the state was not immune from suit under the ADA and the Rehabilitation Act, but was immune from suit under the specific provisions of the FMLA. The appeals court found that the state was not immune from suit under the ADA and the Rehabilitation Act because in these statutes, sovereign immunity could be abrogated based on the 14th Amendment.

Issues

The U. S. Supreme Court heard oral arguments in this case on October 10, 2000. Typical ADA discrimination issues were not addressed to the Supreme Court. Rather, the question argued was whether Garrett and Ash even have a right to sue the state under federal law. It essentially became a federalism case rather than a discrimination case, and initial reaction is that the justices appear to still be sharply divided over this question.

Recent Judicial History

Recent decisions by the Supreme Court and several circuit courts of appeals on non-ADA issues have established doubt about continuing to bring ADA claims in federal courts against state entities. These decisions rely upon the 11th Amendment, which prohibits citizens from suing their states in federal court. Although the 14th Amendment allows Congress to pass laws that prevent discriminatory actions by States, the key question is whether Congress compiled enough evidence of discrimination against people with disabilities by state governments to justify taking away a state's Eleventh Amendment immunity in passing the ADA and other relevant civil rights laws.

The Supreme Court has recently interpreted the States' immunity under the 11th Amendment quite broadly. Last year, the Court held in *Kimel v. Florida Board of Regents* that Congress could not take away a state's immunity to allow a federal age discrimination suit. The Court determined that Congress did not document a history of such age discrimination by the states when it passed the Age Discrimination in Employment Act (ADEA) in 1967.

Relying on that decision, the 7th Circuit Court of Appeals subsequently held that people with disabilities could not bring ADA claims against State entities in federal court. Garrett tests whether the Supreme Court will apply the same doctrine it used in *Kimel* to this case. Arguments before Supreme Court

The State of Alabama argued that the ADA is unconstitutional because Congress exceeded its authority by applying the ADA to state entities without substantiating a history of discrimination by the states against people with disabilities.

"The only issue that's at stake is whether Congress can force states to waive their immunity," explains Jeffrey Sutton, who argued the case for Alabama. A Supreme Court appeals specialist who had successfully argued *Kimel*, Sutton believes that Garrett is exactly like *Kimel*.

As to whether Congress gathered enough evidence of discrimination by state governments, some justices noted that in passing the ADA in 1990, Congress had compiled a substantial history of hundreds of examples of discrimination against the disabled.

Specifically, Justice Sandra O'Connor pointed to Congress' findings of discrimination in voting, health services and transportation, "areas of traditional state control," asking Sutton if he thinks those findings are somehow false, or not relevant in some way.

Justice Stephen Breyer also cited more instances of discrimination that were contained in numerous amicus briefs submitted in support of Garrett and Ash.

"Is it that I'm supposed to count all those — and they have a whole lot here in a huge stack of briefs — and count them all and say, 'Well, they're just not enough?'" he said.

Sutton replied that these findings were "exceedingly relevant" but added, "They don't establish constitutional violations."

Sutton argued that at the time ADA was passed, all states had some law in place protecting the rights of people with disabilities and that Congress failed to prove those laws were not being enforced.

However, one of the ADA's authors, Sen. Tom Harkin disagreed, saying "Congress found that even though there were laws in those states, we found those laws were ignored."

Justice John Paul Stevens also observed that "The fact ... a state remedy exists does not necessarily mean that discrimination is not taking place"

U.S. Solicitor General Seth P. Waxman argued on behalf of the respondents. He testified that prior to passing the ADA, Congress found a massive record of discrimination "... in which government practices deliberately isolated and withheld from the disabled fundamental rights and the chance to participate in mainstream life."

Possible Vote

The Supreme Court's vote could quite possibly be 5-4, or some plurality in which no one point of view receives a majority vote. If their history of disability-related decisions is any indication of present intentions, the Court will probably issue a middle position short that neither adds to nor detracts from the ADA as applied to the states.

Previous federal court decisions involving the Eleventh Amendment were not middle of the road, but rather all or nothing. Four federal courts, including one appeals court, held or reaffirmed the view that the ADA may not be applied to the states, while three other federal courts, including one appeals court, ruled that the ADA may be applied to the states with no apparent limitations.

For example, in *Cisneros v. Wilson*, the Tenth Circuit Court of Appeals (which includes Kansas) reaffirmed that the Supreme Court's reasoning in *Kimel* is readily distinguishable from the Eleventh Amendment immunity argument presented under the ADA. This circuit felt that in enacting the ADA, Congress found that persons with disabilities had been subjected to a history of purposeful unequal treatment in a variety of areas that entail heavy state involvement. Also, a federal court in *Robinson v. Kansas*, citing the Tenth Circuit, ruled that the state had waived sovereign immunity under Section 504 of the Rehabilitation Act by accepting federal funds.

Potential Impact

Sutton tried to downplay the magnitude of the case by saying that although a decision in favor of the University would take away an individual's ability to sue a state government for monetary damages under ADA, an individual could still sue a state government official in federal court to cease discriminatory actions.

Courts around the country are being confronted with Eleventh Amendment sovereign immunity arguments nearly every time the states or their agents are sued under the ADA and related disability statutes. Michael Gottesman, a Georgetown University law professor who argued on

behalf of Garrett, noted that a negative decision could affect pending lower court cases which seek to erode an individual's right to sue state officials under the provisions of the ADA.

Garrett addresses ADA employment discrimination claims against the State. Depending on the scope of the Supreme Court's ruling, the decision could mean:

State employers may no longer be subject to federal ADA suits for failure to comply with the ADA's mandate against employment discrimination. This could result in employees who work for private employers or for local or federal government employers having more civil rights protections than state governmental employers. As a result, state employers may not be subject to federal ADA lawsuits for refusing to hire people with disabilities or failing to provide reasonable accommodations for their employees with disabilities.

States may no longer be subject to federal ADA suits for failing to comply with the ADA's integration mandate. People who are unjustifiably institutionalized in state hospitals and nursing homes may no longer have recourse against the State under the ADA in federal court. In short, the Supreme Court's decision in Garrett could undo its prior ruling in Olmstead.

States may no longer be subject to federal ADA suits for failing to make its buildings and services accessible. State capitols, state courts and state universities that do not provide wheelchair ramps, sign language interpreters and materials in accessible formats may be immune from federal ADA lawsuits.

Kansas Medicaid Buy-In Proposal

What is Medicaid Buy-In? Many people with disabilities want to work but are afraid to seek employment for fear of losing their health care benefits. Medicaid Buy-In is a state option provided under the federal Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIIA), which would allow individuals who are receiving SSDI or SSI to work without losing supports that are vital to their survival. The Medicaid program would be amended to allow people with disabilities who are working to pay a premium for Medicaid coverage. The premium amount would be dependent on the amount of income earned.

Background SRS recently received a \$2.5 million Infrastructure grant from the federal government to implement the Kansas Medicaid Buy-In program. SILCK and a group of advocates are working with SRS to amend the Medicaid state plan and the HCBS waiver programs to create a new category called the "Working Disabled". SRS is supportive of this proposal and has requested an enhancement to the governor's budget for \$870,000 to implement the Medicaid Buy-In program.

How would it work in Kansas? There are three general recommendations made to SRS by the SILCK advocacy group to implement Medicaid Buy-In. These are:

- 1) Raise eligibility requirements to 300% of federal poverty level (FPL)
- 2) Raise assets and resources allowances
 - Exempt 401Ks, Individual Retirement Accounts (IRA), savings accounts up to \$15,000, Individual Development Accounts (IDA), and Individual Training Accounts (ITA), second vehicles in households with 2 drivers.
- 3) Establish a fair premium structure
 - People up to 200% of poverty level would not pay a premium.
 - People over 200% of poverty would pay a premium equal to 4% of their countable income

How can we help?

Contact your legislators and let them know this is important for people with disabilities in Kansas. Tell them:

- Your personal story
- Medicaid Buy-In is a win-win program for the state of Kansas
- For people with disabilities, it means inclusion, independence, and an opportunity to be a contributing member of society.
- For business it means more customers, higher profits, and additional employees.
- For taxpayers, it means more people contributing to the system and less taking from it.

**TESTIMONY TO
SRS OVERSIGHT COMMITTEE**

OCTOBER 10, 2000

Mr. Chairman and members of the committee, thank you for this opportunity to testify before you today. My name is Shannon Jones and I am the executive director of the Statewide Independent Living Council of Kansas (SILCK). The SILCK is mandated by the federal Rehabilitation Act as amended in 1998 to examine programs and policies at the state level and determine what changes, modifications and innovations may be necessary to remove barriers faced by people with disabilities and to make recommendations for such changes so that independent living and economic self sufficiency is possible for all Kansans. To accomplish this mission we work very closely with Centers for Independent Living and Kansans with disabilities of all ages.

Throughout the day you all have heard testimony related the funding crisis faced by all of our HCBS waiver programs and the growing numbers of folks on waiting lists. In contrast I now want to talk about an exciting new opportunity for the state to provide an outlet for folks with disabilities who want to work.

Almost one year ago, The Ticket to Work and Work Incentives Improvement Act of 1999 (TWWIA), passed through Congress with overwhelming bi partisan support in both the House and Senate. This federal legislation is intended to make it easier for people receiving benefits from the two Social Security disability programs, SSI and SSDI, to return to work or enter the workforce for the first time.

One of the primary reasons people with disabilities do not go to work is the fear of losing their health care benefits, either through Medicaid or Medicare. Under today's system folks with disabilities must GET poor, meaning a person may not earn more than \$700 per month or risk losing their Medicaid coverage. And worse yet, people must REMAIN poor in order to get what they so vitally need, health care.

In addition, most employer sponsored health care plans have waiting periods for pre-existing conditions. So while Kansas unemployment rates are at an all time low of 3.3%, the staggering nonemployment rate among adults with disabilities is testimony in itself for the changes that are needed. Nearly 75% of people with significant disabilities remain unemployed. Fewer than 1% of folks on SSDI or SSI ever leave the rolls to go to work.

The Medicaid Buy-in Program, an option within the TWWIIA legislation, is an attempt to remedy this situation by making it easier for people with disabilities on SSDI and SSI to work without losing the Medicaid coverage that is so essential to their survival.

TWWIIA permits a state to change the Medicaid program to allow people with disabilities who are working to pay a premium for continued Medicaid coverage. This means that people who are receiving SSI or SSDI benefits, but lost those benefits because of earned income, would be able to buy in to Medicaid for their health care coverage.

States are allowed to charge participants a premium on a sliding scale based on income. This is the 'Buy-In' part. The sliding scale premiums ensure that those who earn more pay more into the system.

The SILCK is very encouraged by the positive steps SRS has made towards exploring such a Medicaid Buy-in program. The SILCK urges the administration and the legislature to strongly support SRS's initiative to reduce employment barriers for people with disabilities. Giving people with disabilities who want to work the option of buying into Medicaid and paying on a sliding fee scale would provide potential employees access to the full range of needed Medicaid services. This initiative is certainly consistent with SRS' mission to 'promote adult self-sufficiency'.

A Medicaid Buy-in program would not only be invaluable to folks wanting to work, it would also relieve some of the pressure now felt on all of our HCBS programs. When people are productive and the system offers them a 'hand up rather than a hand out' we will all be winners. Kansas does not have one person to waste!

In adopting a policy framework to implement a successful Medicaid Buy in program, the SILCK would urge SRS to give serious consideration to the following recommendations;

#1. CONSUMER INVOLVEMENT. To ensure meaningful input throughout the design, implementation and evaluation of the program, individuals with disabilities need to be actively involved in the development of policies and procedures for workers with disabilities.

#2. KEEP IT SIMPLE! The complexities of the current system related to work and disability have become some of the biggest barriers to employment. We now have the opportunity to remove some of those work disincentives. The successful design of a system should support efforts to enhance employment opportunities for individuals with disabilities as well making it as easy as possible to administer.

#3. DO NO HARM. Program design must be accessible and responsive to individual disability related conditions and variations in ability to work over a period of time. Due to the episodic nature of some disabilities, certain persons are only able to work part time or their ability to work varies over time. The state needs to adopt an 'easy back on' clause available for people to ensure continuing health care coverage.

#4. RAISE THE BAR. We need to raise our level of expectation on two fronts. Throughout history people with disabilities have been sent the message that they are too disabled to work, now is the time to raise our level of expectations for all people with disabilities. Individuals with disabilities should have the opportunity to increase their disposable income for daily living costs as well as to increase their long term financial security and independence by saving for housing, education, long term care services and retirement. For those individuals working towards self-sufficiency, they should be allowed to have more assets and resources than those not contributing to their own self-support.

A successful Medicaid Buy In Program is attractive not only to people with disabilities, but is equally appealing to potential employers in the business community.

The state of Kansas also stands to gain in numerous positive ways;

- Kansas will continue to receive federal matching funds for all Medicaid services provided;
- Kansas can charge a premium and will be eligible for grants.
- The increased tax revenues as employment levels increase, as well as savings to other programs such as subsidized housing, etc.
- Most of the people covered under a Medicaid Buy-in are people already eligible for Medicaid when they were unemployed. Their move to employment status merely shifts their costs but does not increase their Medicaid costs. In fact, Medicaid costs may decrease if newly employed individuals are offered employer based insurance and can use Medicaid simply as a wrap around policy to cover expenses not covered by the primary insurance.
- Local business and industry are facing serious obstacles in finding qualified workers, yet three out of four people with disabilities are not working. Many of us are highly skilled and want to work and we could work if certain barriers were removed.

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- Medicaid savings when beneficiaries who work obtain employer sponsored health insurance and Medicaid becomes a secondary payer

Basically, the ultimate outcome for this program is simply **WORK!**

Improving opportunities for people with disabilities is a win-win situation. For people with disabilities, it means inclusion, freedom, and empowerment. For business, it means more customers, higher profits, and additional qualified workers. For taxpayers, it means millions more people contributing to the system, and fewer people dependent on it.

Independent living will not truly be a reality until persons with disabilities are free to work to their maximum ability without the fear of losing their health insurance and personal assistance services they need in order to survive!

Thank you for this opportunity to testify. I will be happy to stand for any questions.

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***** KCDC *****
***** ACTIVITY REPORT *****
RECEPTION OK *****
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P01



AgrAbility

Meeting the Needs of Farmers and Family Members With a Disability

Assistive Technology for Kansans Project
2001 Legislative Session

Background

Agriculture has also been classified as one of the most hazardous occupations in America. Nearly 6,000 Kansans are seriously injured on the farm every year. Instead of changing occupations or going on public assistance, many of those injured could return to farming or agribusiness with the support of assistive technology, farm equipment modifications, and information. Participants at the Kansas Disability Caucus recommended establishment of an AgrAbility initiative in Kansas.

Problem

Most farm families do not have access to or knowledge of the assistive technology that could keep them independent and productive. Kansas has a federally funded technology assistance project to provide information, technical assistance, evaluation, and training to Kansans of all ages and all disabilities. However, with dwindling federal dollars, the project does not have the resources to adequately meet the needs of farmers and their family members who have acquired a disability.

Legislative Initiative

A state commitment of \$140,000 could pull down a federal match of \$517,277 in the Kansas Rehabilitation Services budget. ATK requested \$140,000 from the Governor's budget for this program but were not successful. A full-fledged effort is needed to secure funding through the legislative appropriations process.

Talking Points

- Agriculture is the mainstay of the Kansas economy.
- An AgrAbility project appears to be well received by most legislators – specifically rural legislators and is supported by SRS.
- An AgrAbility initiative is a good investment and will pull down federal dollars for Kansas.
- AgrAbility will enable many farm families to maintain their rural lifestyle and independence.
- The Assistive Technology for Kansans project (ATK) has five regional access sites across the state, which provides an efficient infrastructure for service delivery to farm families.

For more information, please contact Brenda Eddy at 785-862-2674 v/tty or 785-354-8648 v/tty or email to: beddy@kscable or call your local Assistive Technology Regional Access Site at 1-800 Kan Do It.

Kansas Workforce Investment Partnership (KWIP), Council

Name	County	Sector Represented	New/ Re-appointed
James Barone	Crawford	State Government-Senator; Business	New 01/00
Kenneth Bell	Butler	Business	Re-appointed
Edward Berger	Reno	Education (Vo-Tech/Higher Ed)	New 01/00
Richard Beyer	Shawnee	State Government-Agency	New 01/00
Karin Brownlee	Johnson	State Government-Senator; Business	New 01/01
C. B. Conder	Johnson	Labor	Re-appointed
Gerald Cook	Saline	Business	New 01/00
Valorie DeFever	Montgomery	Education (K-12); Business	New 01/00
Eddie Estes	Ford	Business	Re-appointed
Dave Foster	Johnson	Business	Re-appointed
Bill Graves	Shawnee	State Government-Governor; Ex Officio	New 01/00
Jerry Hiatt	Montgomery	Business; Community-Based Organization	Re-appointed
Troy Hickman	Ellis	Business; Local Government	New 01/00
Steven Jack	Shawnee	State Government-Agency	Re-appointed
Dannette Jackson	Shawnee	Business	New 01/00
James Keele	Miami	Labor	Re-appointed
James Kessler	Lyon	Business	New 01/00
Robert Knight	Sedgwick	Local Government	New 01/00
Al Lane	Johnson	State Government-Representative	New 01/00
Marie Mareda	Sedgwick	Community-Based Organization	New 01/00
Shirley Martin-Smith	Douglas	Business	Re-appointed
William Moore	Shawnee	Labor	Re-appointed
Dwayne Peaslee	Jefferson	Labor	Re-appointed
Arwayne Peters	Marshall	Business	Re-appointed
Lynn Peterson	Dickinson	Business; Local Government	New 01/00
Donna Roush	Finney	Business; Education (K-12)	New 01/00
Candy Ruff	Leavenworth	State Government-Representative; Business	New 01/00
John Scheopner	Finney	Business; Education	New 01/00
Norman Scott	Wyandotte	Labor	Re-appointed
Ryan Scott	Rooks	Business	New 01/00
Candace Shively	Shawnee	State Government-Agency; VR & CAP	Re-appointed
Jack Strukel	Shawnee	Veteran; Community-Based Organization	Re-appointed
David Thomas	Johnson	Business	Re-appointed
Stephen Waite	Butler	Business; Education	New 01/00
Jack Wempe	Rice	Business; Education (Higher Ed)	New 01/00
Rhonda Williams	Sherman	Education (K-12); Community-Based Organization	New 01/01

1/16/01

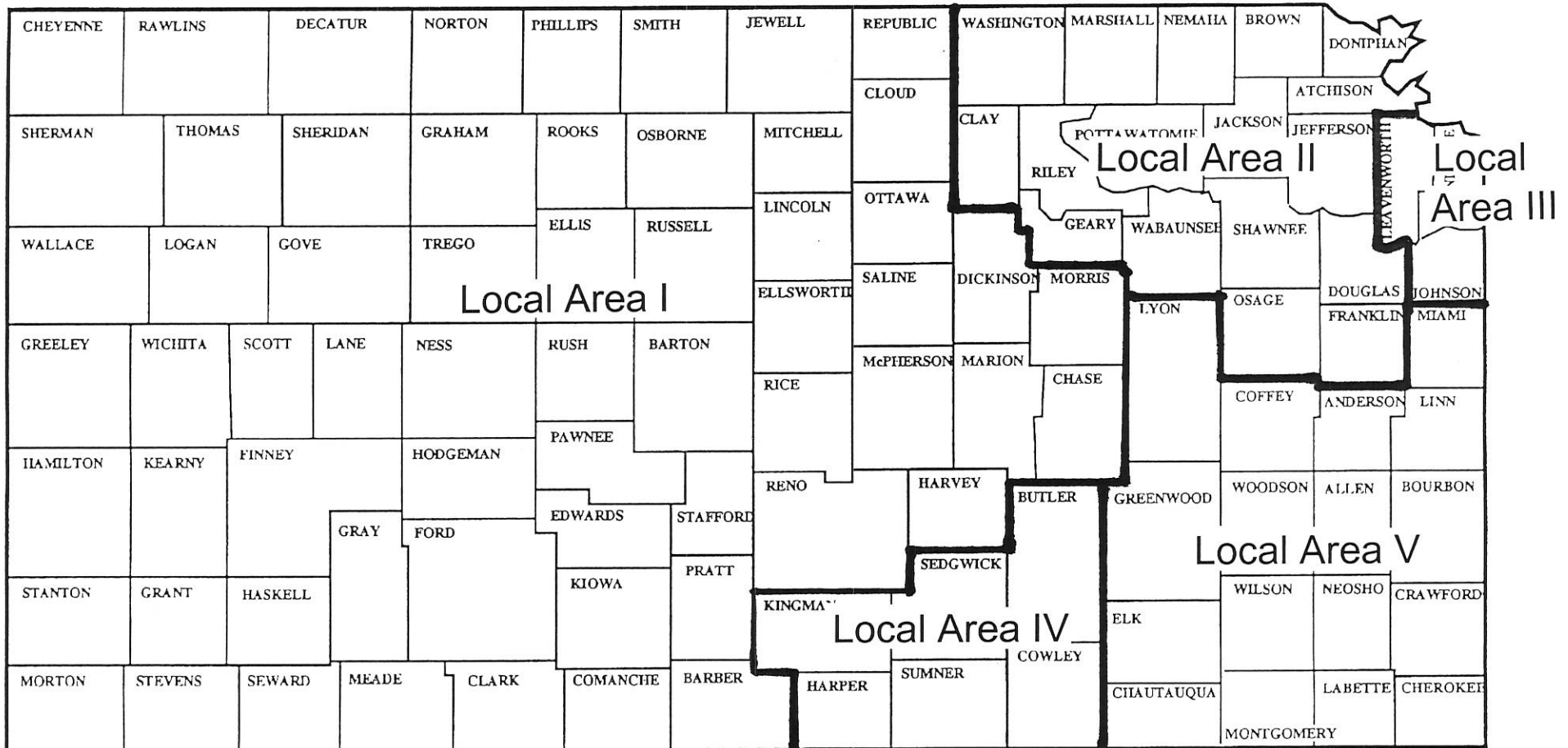
House Business, Commerce & Labor Committee

1-18-01

Attachment 2

Local Workforce Investment Areas Workforce Investment Act of 1998

2-2



LWIA ADMINISTRATORS

2-3

SDA	LWIB CHAIR	CEO CHAIR	WIA ADMINISTRATIVE ENTITY	AREA SUPERVISOR
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