

MINUTES OF THE SENATE COMMITTEE ON WAYS AND MEANS.

The meeting was called to order by Chairperson Stephen Morris at 11:45 a.m. on April 11, 2002 in Room 123-S of the Capitol.

All members were present except: Senator Christine Downey - excused
Senator Tim Huelskamp - excused
Senator Dave Kerr - excused

Committee staff present:

Deb Hollon, Kansas Legislative Research Department
Audrey Nogle, Kansas Legislative Research Department
Michael Corrigan, Assistant Revisor of Statutes
Judy Bromich, Assistant to the Chairman
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Jane Rhys, Ph.D, Executive Director, Kansas Council on Developmental Disabilities

Others attending: See attached list

Chairman Morris called the Committee's attention to discussion of:

HB 2896--Adding one dollar surcharge to designated athletic event at postsecondary educational institutions to fund the Kansas sports hall of fame

Chairman Morris explained some suggested amendments to the bill.

Senator Jackson moved, with a second by Senator Schodorf, a conceptual amendment regarding HB 2896 to have three members of the Board of Trustees appointed from all the institutions in the higher education system under the jurisdiction of the State Board of Regents, a four-year sunset to coincide with the new Trustees four-year terms and \$0.50 cents rather than \$1.00 surcharge on high school championship games. Motion carried on a voice vote.

There was Committee discussion.

Senator Jackson moved, with a second by Senator Adkins, to recommend HB 2896 favorable for passage as amended. Motion carried on a roll call vote.

Chairman Morris opened the public hearing on:

HB 2575-Establishing the state council on developmental disabilities, membership, powers and duties

Staff briefed the Committee on the bill.

Jane Rhys, Ph.D., Executive Director, Kansas Council on Developmental Disabilities, testified in support of **HB 2575 (Attachment 1)**. Dr. Rhys explained that the bill should be passed in order to permit the Kansas Council on Developmental Disabilities to be in compliance with federal law. She also mentioned that if the bill is passed, it is revenue neutral, but if not passed, Kansas will lose approximately \$610,953.00 annually in federal funds. Dr. Rhys noted that of those funds, \$183,196.00 is used for Council expenses and \$427,667.00 is awarded in competitive grants.

The following written testimony was distributed by Dr. Rhys in support of **HB 2575**:

- Tom Laing, Executive Director, InterHab (Attachment 2)

CONTINUATION SHEET

- Jeanne Abraham-Lunz and Kathy Lobb, Self-Advocate Coalition of Kansas (Attachment 3)
- Connie Zienkewicz, Executive Director, Families Together (Attachment 4)
- Kansas Advocacy and Protective Services, Inc. (Attachment 5)

There were no questions for the conferee. There being no further conferees to come before the Committee, the Chairman closed the public hearing on **HB 2575**.

Senator Adkins moved, with a second by Senator Feleciano, to amend SB 557 into HB 2575 and recommend HB 2575 favorable for passage as amended. Motion carried on a roll call vote.

The meeting was adjourned at 12:00 p.m.



Kansas Council on Developmental Disabilities

BILL GRAVES, Governor
DAVE HEDERSTEDT, Chairperson
JANE RHYS, Ph. D., Executive Director

Docking State Off. Bldg., Room 141, 915 Harrison
Topeka, KS 66612-1570
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"To ensure the opportunity to make choices regarding participation in society and quality of life for individuals with developmental disabilities"

SENATE WAYS & MEANS

April 11, 2002

Testimony in Regard to H.B. 2575. An Act Establishing the State Council on Developmental Disabilities

Mr. Chairman, Members of the Committee, I am appearing today on behalf of the Kansas Council on Developmental Disabilities regarding H.B. 2575, an act establishing the state council on developmental disabilities.

The Kansas Council is federally mandated and funded under Public Law 106-402, as amended, the Developmental Disabilities Assistance and Bill of Rights Act. The Council is composed of individuals who are appointed by the Governor, including individuals who are persons with developmental disabilities or their immediate relatives and representatives of the major agencies who provide services for individuals with developmental disabilities. Our mission is to advocate for individuals with developmental disabilities, to see that they have the opportunity to make choices in life similar to those opportunities you and I have.

In 2000 the federal law was reauthorized and certain changes were made. We are asking that you pass this Bill in order to permit us to be in compliance with federal law. Specifically: H.B. 2575 does the following:

- Amends Chapter 74.--State Boards, Commissions and Authorities, Article 55.—Developmental Disability Agencies, specifically the statute authorizing the Kansas Council on Developmental Disabilities.

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- Increases the number of and revises Council membership to reflect federal changes. The Kansas statute requires a membership of 15. The federal statute has added a new member to represent Title V of the Social Security Act (Maternal and Child Health Care) and also changes consumer representation from 50% of the membership to 60%. In order to be in compliance with federal law, we need to enlarge the membership to at least 18.
- This bill, if passed, is revenue neutral. If not passed, Kansas will lose approximately \$610,953 annually in federal funds. Of those funds, \$183,196 is used for Council expenses and \$427,667 is awarded in competitive grants.

For your information, I have attached letters of support from other advocacy organizations, a list of our members, and a list of our accomplishments.

As always, we appreciate the opportunity of appearing before you and I would be happy to answer any questions you might have regarding the Council and their activities.

Jane Rhys, Ph.D., Executive Director
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THE Kansas DEVELOPMENTAL DISABILITIES COUNCIL



The mission of the Kansas Council on Developmental Disabilities is to ensure people with developmental disabilities have the opportunity to make choices regarding participation in society and quality of life.

Executive Director: Jane Rhys
Chairperson: Dave Hederstedt
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Web Site: <http://nekesc.org/kcdd>

State DD Allotment (FY 2001) \$610,953
State DD Allotment (FY 2002) \$610,953
Number of people in Kansas with developmental disabilities (approx.): 46,296

ACCOMPLISHMENTS

Core Services

To promote quality services for persons with developmental disabilities, the Council funded the Arc of Douglas County to create a cross disability review of services provided under the Medicaid waivers, bringing together people representing a variety of disabilities and ways to improve service systems.

Outcome: A document that describes core values needed by this population to increase their independence, productivity, integration, and inclusion into the community. The specific objective is to assist customers, family members and service providers in identifying the types of services and supports, paid and unpaid, the customer may access in order to remain in the community.

Employment

The Kansas Council focuses on activities that are investments in the future and use the entrepreneurship concept and the private sector to provide programs, ensuring a high return. In 1997 the Council began a program to assist persons with developmental disabilities to purchase their own businesses. In only three months the first individual was able to earn \$700 a month. Three additional individuals were assisted in FY 2001. The Council also funded a project to train persons with cognitive disabilities to be personal care attendants for persons with physical disabilities, training programs for PASS plans, and a conference on the new Kansas Working Healthy project.

Outcome: Over 364 Kansans with developmental disabilities received needed information and assistance in gaining employment, 3 were able to start their own businesses and 31 were gainfully employed by the end of the fiscal year.

Housing

The Special Needs Housing Program in Hutchinson assists individuals with disabilities to obtain affordable, accessible housing in their communities. The program has assisted people in finding apartments, houses, and duplexes for rent and/or for purchase. They also worked with other community housing organizations (Bird City, Chanute, El Dorado, Garden City, Iola, Kansas City, Salina, and Sharon Springs) in Kansas to facilitate the replication of the project in other communities. Two other Kansas communities will receive funding for housing programs in El Dorado and Chanute in FY 2002.

Outcome: The project trained 57 individuals in systems advocacy regarding housing and leveraged \$108,615. There were 13 new units of affordable housing made available and housing policies improved in 3 communities.

Publications/Documents

Through a grant the Council funded the development of a new booklet, *Stories from the Free State* containing success stories about changes in the lives of people participating in self determination in Kansas. This booklet has been provided to over 1000 individuals.

Outcome: Over 1,000 individuals with Developmental Disabilities and their families have received needed information regarding available services in Kansas.

Training

The Council provided funds for Partners in Policymaking, training parents in their rights under the Individuals with Disabilities Education Act, consumers and service providers about assistive technology devices and applicable laws, and the *Disability Caucus*, a statewide conference focusing on major issues affecting the lives of persons with disabilities.

Outcome: Over 570 persons received advocacy training and information through Council sponsorship of a Statewide Disability Caucus and 621 received training on assistive technology through a Statewide Assistive Technology Conference. Extensive training in advocacy was provided to 24 individuals through Partners in Policymaking program.

Transportation

Consortiums in Wichita and Salina, (FY 1999), and Concordia, Topeka, and Hutchinson (FY 2000) to provide accessible, affordable and reliable transportation on an interagency basis to persons with disabilities as well as the elderly. The purpose of these projects is to show how collaboration, among different entities that have customers with transportation needs, can be used to effectively provide affordable transportation services to Kansans. In FY 2001 Hutchinson received funds to train individuals with DD to ride public transportation.

Outcome: To date, 40,000 rides have been provided to people who previously had no transportation. The Kansas Department of Transportation and the City of Salina are funding the Salina program in 2002 because they have seen a demonstrated need.

Please feel free to contact the Council regarding these or any other programs funded by the Council.

KANSAS COUNCIL ON DEVELOPMENTAL DISABILITIES

APPOINTED MEMBERS

4/10/02

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¹ person with a developmental disability

² parent of a person with a developmental disability

KANSAS COUNCIL ON DEVELOPMENTAL DISABILITIES

APPOINTED MEMBERS

4/10/02

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¹ person with a developmental disability

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April 10, 2002

Honorable Steve Morris, Chair
Senate Ways and Means Committee

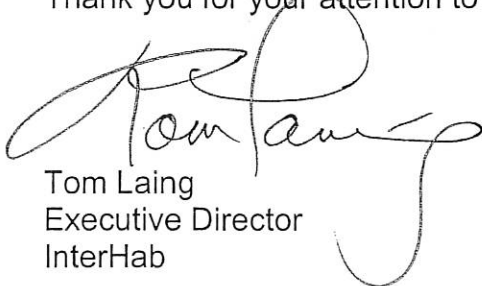
Senator Morris:

InterHab would like to officially endorse House Bill 2575. This bill directly affects the Kansas Council on Developmental Disabilities. The Council plays a significant role in the state of Kansas for individuals with developmental disabilities. Their exemplary advocacy and leadership is essential to the DD community and that is why we endorse this bill.

The bill, if passed, is revenue neutral. If not passed, Kansas will lose approximately \$610,953 in federal funding. The majority of those funds are awarded in competitive grants by the Council to help improve the lives of individuals with developmental disabilities. House Bill 2575 must be passed to remain compliant with federal law.

The Kansas Council on Developmental Disabilities is vital to persons with developmental disabilities and to the State of Kansas. House Bill 2575 must be passed. For more information, please contact Jane Rhys at the Kansas Council of Developmental Disabilities office at 785-296-2608 or via e-mail at jrhys@alltell.net.

Thank you for your attention to this bill.



Tom Laing
Executive Director
InterHab

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Attachment 2

Self-Advocate
Coalition of Kansas

DATE: April 2, 2002

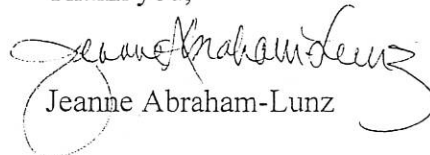
TO: Kenny Wilk
Chairman of House Appropriations

FROM: Jeanne Abraham-Lunz, SACK Support Staff
Kathy Lobb, SACK Legislative Liaison

RE: HB 2575

The Self-Advocate Coalition of Kansas (SACK) is the statewide advocacy organization for adults with developmental disabilities. SACK receives support from the Kansas Council on Developmental Disabilities (Kansas DD Council) through grants and also works collaboratively with them in workgroups and through legislative advocacy efforts. SACK is writing in support of HB 2575 which would create compliance with the federal Developmental Disabilities Act for the Kansas DD Council and allow them to continue to exist and grow. The Kansas DD Council makes every effort to ensure that people with developmental disabilities have the opportunity to make choices regarding participation in society and quality of life. Their services are invaluable to people with developmental disabilities as well as to family members and organizations that support people with developmental disabilities. Please support HB 2575.

Thank you,


Jeanne Abraham-Lunz



Kathy Lobb



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Attachment 3



Families Together, Inc.

April 2, 2002

The Honorable Kenny Wilk
Chairman, House Appropriation Committee
Topeka, Kansas

Honorable Wilk:

This letter is to express Families Together, Inc.'s support for House Bill 2575. We understand that this bill will put the Kansas Council on Developmental Disabilities in compliance with the newly reauthorized federal law. That law requires a certain composition of the council to represent the interests of policy makers, consumers or services, and families of persons with developmental disabilities. We hope that you will act favorably on this legislation.

Sincerely,

Connie Zienkewicz

Connie Zienkewicz
Families Together, Inc.
Executive Director

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Attachment 4*



KANSAS ADVOCACY & PROTECTIVE SERVICES, INC.

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Robert D. Ochs, Board President

James L. Germer, Executive Director

Senate Ways and Means

April 11, 2002

HB 2575

Mr. Chairman and members of the Committee, Kansas Advocacy and Protective Services, Inc., thank you for the opportunity to provide written comment in support of House Bill 2575 which would change the Kansas statute that establishes the Kansas Council on Developmental Disabilities to conform with federal regulations.

Kansas Advocacy & Protective Services, Inc., (KAPS) is a private, nonprofit corporation that provides legal, administrative and other advocacy services to protect the rights of Kansans with disabilities. KAPS is the protection and advocacy system in Kansas for five federal programs for individuals with disabilities.

KAPS strongly supports H.B. 2575 to bring the Kansas statute in conformity with the federal regulations which require the increase in Council membership from 15 to 18 individuals. Without the passage of H.B. 2575 Kansas would be at risk of losing approximately \$610,953 annually in federal funding. The Council on Developmental Disabilities is an asset to the State of Kansas and the disability community.

Again, KAPS would strongly support H.B. 2575 and thank you for your consideration in support of this bill.

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Attachment 5*