

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Stephen Morris at 11:45 a.m. on March 31, 2004, in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Alan Conroy, Director, Kansas Legislative Research Department  
J. G. Scott, Chief Fiscal Analyst, Kansas Legislative Research Department  
Leah Robinson, Kansas Legislative Research Department  
Amy Deckard, Kansas Legislative Research Department  
Audrey Dunkel, Kansas Legislative Research Department  
Susan Kannarr, Kansas Legislative Research Department  
Amy Van House, Kansas Legislative Research Department  
Norman Furse, Revisor of Statutes  
Judy Bromich, Administrative Analyst  
Mary Shaw, Committee Secretary

Conferees appearing before the committee:

Senator Nick Jordan  
Brenda Sharp, President, Sunflower House, Shawnee, Kansas  
Candy Shively, Deputy Secretary, Integrated Services Delivery, Kansas Department of Social and Rehabilitation Services (written)  
Keith Meyers, Director, Divisions of Facilities, Printing and Purchases, Kansas Department of Administration  
Sherry Diel, Executive Director, Kansas Real Estate Commission (written)  
Ken Grotewiel, Assistant Director, Kansas Water Office  
Jamie Corkhill, Policy Counsel for the Department of Social and Rehabilitation Services (SRS) Child Enforcement, on behalf of Candy Shively, Deputy Secretary, Kansas Department of Social and Rehabilitation Services  
Dr. Lorne Phillips, State Registrar and Director, Center for Health and Environmental Statistics, Kansas Department of Health and Environment

Others attending:

See Attached List.

Senator Helgerson moved, with a second by Senator Adkins, to approve the minutes of the February 11, February 12, February 13, February 16, February 17, February 19, February 20, February 23, February 24, February 25, February 26, March 2, 2004, meetings. Motion carried on a voice vote.

Chairman Morris opened the public hearing on:

**HB 2568—Assessment fee imposed on certain criminal defendants for crimes against children, establishing the children's advocacy center fund**

**HB 2569—Children's advocacy centers, prescribing standards and training**

Staff briefed the committee on the bills.

The Chairman welcomed the following conferees on the bills:

Senator Jordan explained that he was the vice chairman of the Joint Committee on Children's Issues and these two bills came out of this committee. It provides a team effort in the community for the best interest of the child. (No written testimony was provided.)

CONTINUATION SHEET

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE at 11:45 a.m. on March 31, 2004, in Room 123-S of the Capitol.

Brenda Sharp, President, Sunflower House, Shawnee, Kansas, testified in support of **HB 2568** and **HB 2569** (Attachment 1). Ms. Sharp presented three descriptions of what a Children's Advocacy Center is:

- Child-focused, community-oriented, facility-based program
- Forum or "home" for representatives from many disciplines to meet, discuss and make decisions about investigation, treatment and prosecution of child abuse cases
- Joint effort to prevent further victimization of children.

She also explained, in detail, several reasons for supporting **HB 2568** and **HB 2569**. Ms. Sharp distributed copies of the membership roster for the Kansas Chapter of Children's Advocacy Centers (Attachment 2).

Written testimony was submitted by Candy Shively, Deputy Secretary, Integrated Service Delivery, Kansas Department of Social and Rehabilitation Services in support of **HB 2569** (Attachment 3).

There being no further conferees to appear before the committee, the Chairman closed the public hearing on **HB 2568** and **HB 2569**.

Senator Jordan moved, with a second by Senator Helgerson, to recommend **HB 2568** and **HB 2569** favorable for passage. Motion carried on a roll call vote.

Chairman Morris opened the public hearing on:

**SB 562--State agencies; purchase of insurance for automobiles**

Staff briefed the committee on the bill.

The Chairman welcomed D. Keith Meyers, Director, Divisions of Facilities, Printing and Purchases, Kansas Department of Administration, who spoke in support of the bill (Attachment 4). Mr. Meyers explained that **SB 562** would require state agencies to purchase collision and comprehensive insurance for their agency owned vehicles.

Written testimony was submitted by Sherry C. Diel, Executive Director, Kansas Real Estate Commission (Attachment 5).

There being no further conferees to come before the committee, the Chairman closed the public hearing on **SB 562**.

Senator Adkins moved, with a second by Senator Jackson, to amend **SB 562** to make the provisions of the bill permissive for comprehensive coverage and recommend **SB 562** favorable for passage as amended. Motion carried on a roll call vote.

Chairman Morris opened the public hearing on:

**HB 2705--State water plan fund, transfers from the state general fund**

Staff briefed the committee on the bill.

The Chairman welcomed Ken Grotewiel, Assistant Director, Kansas Water Office, who testified in support of **HB 2705** (Attachment 6). Mr. Grotewiel explained that the bill is a technical cleanup to make it part of the original statute.

CONTINUATION SHEET

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE at 11:45 a.m. on March 31, 2004, in Room 123-S of the Capitol.

Senator Downey moved, with a second by Senator Helgerson, to amend **HB 2705** to include the provisions of **HB 2919** and **SB 463**, as amended by the Senate. Motion carried on a voice vote.

Senator Helgerson moved, with a second by Senator Barone, to recommend **HB 2705** favorable for passage as amended. Motion carried on a roll call vote.

The Chairman opened the public hearing on:

**HB 2571--Authorizing SRS child support enforcement employees to obtain birth certificate copies for certain children born out of wedlock**

Staff briefed the committee on the bill.

Chairman Morris welcomed Jamie Corkhill, Policy Counsel for the Department of Social and Rehabilitation Services Child Support Enforcement, who presented testimony on behalf of Candy Shively, Deputy Secretary, Integrated Service Delivery, Kansas Department of Social and Rehabilitation Services, in support of **HB 2571** (Attachment 7). Ms. Corkhill explained that SRS proposed the legislation to provide SRS staff and federal auditors access to information about children born out of wedlock. Such information is needed to perform their work. She mentioned that the benefits of the bill would be substantial and the cost to the state minimum.

The Chairman welcomed Dr. Lorne Phillips, State Registrar and Director, Center for Health & Environmental Statistics, Kansas Department of Health and Environment, who testified in support of **HB 2571** (Attachment 8). Dr. Phillips explained that **HB 2571** amends the Uniform Vital Statistics Act to allow Child Support Enforcement staff to obtain birth certificate information to improve their program management.

There being no further conferees to appear before the committee, the Chairman closed the public hearing on **HB 2571**.

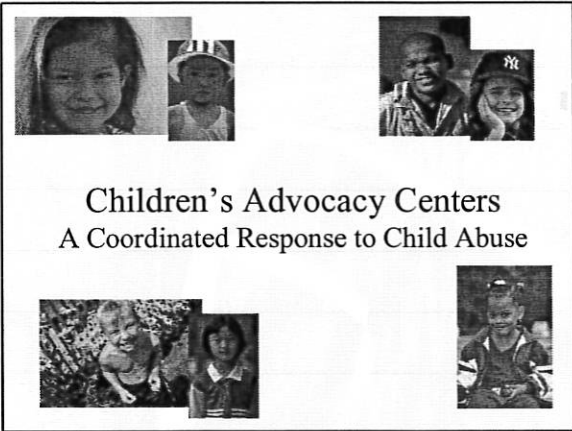
Senator Helgerson moved, with a second by Senator Schodorf, to recommend **HB 2571** favorable for passage. Motion carried on a roll call vote.

The meeting adjourned at 12:35 p.m. The next meeting is scheduled for April 1, 2004.

SENATE WAYS AND MEANS COMMITTEE  
GUEST LIST

DATE March 31, 2004

| NAME             | REPRESENTING            |
|------------------|-------------------------|
| Julia Yueno      | DOB                     |
| Garrin Dunkel    | DOB                     |
| Jed Fund         | KWO                     |
| Charlie Ellis    | Hein Law Firm           |
| Gama Young       | Sec. of Administration  |
| D. KEITH MEYERS  | DEPT. OF ADMINISTRATION |
| Cathy A. Hubbard | SRS                     |
| Rae Anne Davis   | SRS                     |
| Jamie Corkhill   | SRS                     |
| Lou A. Phillips  | KONE                    |
| Steve Solomon    | The Farm, Inc.          |
| Pat Lehman       | GMD #4                  |
| <del>Andy</del>  | <del>AT</del>           |
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**Children's Advocacy Centers**  
 A Coordinated Response to Child Abuse

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**Kansas Senate**  
**Ways and Means Committee**

Brunda Sharpe, Sunflower House President & CEO  
 on behalf of the Kansas Chapter of Children's Advocacy Centers  
 March 25, 2004

Sunflower House, Inc.  
 15440 W. 65<sup>th</sup> Street  
 Shawnee, KS 66217  
 913-631-5800  
 Email: [suninfo@sunflowerhouse.org](mailto:suninfo@sunflowerhouse.org)  
[www.sunflowerhouse.org](http://www.sunflowerhouse.org)

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**What is a Children's Advocacy Center?**

- Child-focused, community-oriented, facility-based program
- Forum or "home" for representatives from many disciplines to meet, discuss and make decisions about investigation, treatment and prosecution of child abuse cases
- Joint effort to prevent further victimization of children

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Brenda Sharp

Senate Ways and Means<sup>1</sup>  
 3-31-04  
 Attachment 1

### Core CAC Partners

- Law Enforcement
- Child Protective Services (SRS)
- Prosecution
- Mental Health
- Medical Community
- Victim Advocacy
- CAC Staff



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### The Children's Advocacy Center Philosophy

- ❖ Child abuse victims should be responded to immediately in a child-friendly manner to reduce their trauma, not compound it
- ❖ The most effective response to child abuse cases builds upon the expertise of multiple agencies and agreed upon protocols
- ❖ Suspected child victims of sexual abuse, serious physical abuse, child witnesses to domestic violence, and children affected by other forms of victimization deserve a legally sound and defensible forensic interview that doesn't further traumatize them
- ❖ Only highly skilled and trained forensic interviewers should conduct interviews of children in child abuse cases to reduce the likelihood of a biased or leading interview.

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### Best Practice Standards of a CAC

- Child-Friendly Facility
- Organizational Capacity (MDT)
- Cultural Competency & Diversity
- Multidisciplinary Team
- Forensic Interviews
- Medical Evaluation
- Therapeutic Intervention
- Victim Support/Advocacy
- Case Review
- Case Tracking



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**Core Service:  
Forensic Interviews**

- CAC promotes legally sound, non-duplicative, non-leading and neutral interviews
- Written guidelines & agreements
- Ability to observe interviews & communicate with interviewer
- Participation by team members with investigative responsibilities

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**Benefits of the CAC  
Team Process**



- More immediate follow-up to child abuse reports.
- Dramatic reduction in number of interviews.
- More effective interviews result in better evidence collection.
- More efficient medical and mental health referrals improve health & recovery of child.
- Agency collaboration & information sharing leads to better decision-making.

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**Long Term Benefits of the  
CAC Model**

- Child is protected.
- Trauma of child & family is reduced.
- Improved child & family health.
- Increased successful prosecutions.
- Increased accountability of child welfare agencies.

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## Children's Advocacy Centers in Kansas

|  |                                      |
|--|--------------------------------------|
| Child Advocacy Center, Inc.<br>Pittsburg | Meadowlark House<br>Dodge City       |
| Heart to Heart-Harvey Co. CAC<br>Newton  | SOS Child Advocacy Center<br>Emporia |
| Prairie Advocacy Center<br>Topeka        | Sunflower House, Inc.<br>Shawnee     |




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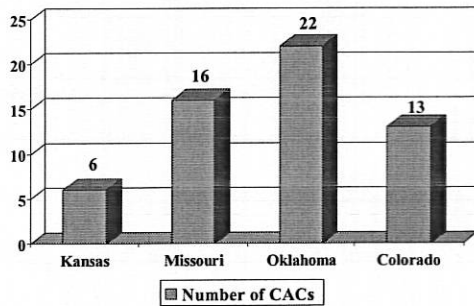
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## Children's Advocacy Centers in Other States




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## CAC Geographic Service Areas

- Wyandotte County
- Johnson County
- Ness County
- Hodgeman County
- Ford County
- Clark County
- Gray County
- Edwards County
- Meade County
- Harvey County
- Marion County
- Lyon County
- Chase County
- Shawnee County
- Crawford County
- Bourbon County
- Cherokee County

\*Courtesy interviews often done for surrounding areas

Only 16% of Kansas counties are currently served by a CAC

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### Why Should I Support HB 2568 and HB 2569?

- Formally recognizes the efforts and best practice standards implemented in existing KS CAC's.
- Ensures access to a legally sound child abuse investigation for ALL Kansas children by encouraging the development of additional CAC's across the state.
- Establishes best practice standards to improve state-wide consistency of child abuse investigations, child protection findings and prosecutions.

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### Why Should I Support HB 2568 and HB 2569?

- Provides an opportunity to hold perpetrators accountable for the abuse and the strain they place on the child welfare system.
- It's what you would want and expect if your own child, grandchild, niece or nephew were to become a victim of child abuse.



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# Kansas Chapter of Children's Advocacy Centers

## Membership Roster



### Chapter Officers

Brenda Sharpe, President  
Kelly Stephens, Vice President  
Sandy Morris, Secretary  
Det. T. Walton, Treasurer

### Children's Advocacy Center, Inc.

Sandy Morris, Executive Director  
123 West Adams  
Pittsburg, KS 66762  
(620) 235-0067  
[cac@mobil1.net](mailto:cac@mobil1.net)  
[www.pittsburgcac.org](http://www.pittsburgcac.org)  
NCA Member Status: Associate  
KS Chapter Status: Associate Program

### Prairie Advocacy Center, Inc.

Kelly Stephens, Director  
400 SW Oakley-West Hall  
Topeka, KS 66606  
(785) 357-4763 x344  
[prairieadvocacy@hotmail.com](mailto:prairieadvocacy@hotmail.com)  
NCA Member Status: Full  
KS Chapter Status: Full Program

### Heart to Heart Child Advocacy Center

Det. T. Walton, Director  
201 East 6<sup>th</sup> Street  
Newton, KS 67114  
(316) 284-6030  
[twalton@npdks.org](mailto:twalton@npdks.org)  
NCA Member Status: Developing  
KS Chapter Status: Developing

### SOS Child Advocacy Center, Inc.

Kathleen Inwood, Director  
25 West 5<sup>th</sup> Street  
Emporia, KS 66801  
(620) 343-8742  
[kinwoodsos@sbcglobal.net](mailto:kinwoodsos@sbcglobal.net)  
NCA Member Status: Developing  
KS Chapter Status: Developing

Brenda Sharp

Senate Ways and Means  
3-31-04  
Attachment 2

**Meadowlark House**

Marg Yaroslaski, Executive Director  
P.O. Box 1173  
Dodge City, KS 67801  
(620) 225-6987  
[margarie@ftml.net](mailto:margarie@ftml.net)  
NCA Member Status: Full  
KS Chapter Status: Full Program

**Wichita Children's Home**

Sarah Robinson, Executive Director  
810 N. Holyoke  
Wichita, KS 67208  
(316) 684-6581  
[sarah@wch.org](mailto:sarah@wch.org)  
NCA Member Status: None  
KS Chapter Status: Supporting

**Kansas Bureau of Investigation**

Kelly Robbins, Special Agent  
P.O. Box 78  
Scott City, KS 67871  
(620) 872-3706  
[krobbins@pld.com](mailto:krobbins@pld.com)  
NCA Member Status: None  
KS Chapter Status: Supporting

**Kansas Dept. of SRS**

Cathy Hubbard  
Children & Family Policy  
915 SW Harrison, Room 551 South  
Topeka, KS 66612  
(785) 368-8190  
[cxah@srskansas.org](mailto:cxah@srskansas.org)  
NCA Member Status: None  
KS Chapter Status: Supporting

**Sunflower House, Inc.**

Brenda Sharpe, President and CEO  
15440 West 65<sup>th</sup> Street  
Shawnee, KS 66217  
(913) 631-5800  
[brenda@sunflowerhouse.net](mailto:brenda@sunflowerhouse.net)  
[www.sunflowerhouse.org](http://www.sunflowerhouse.org)  
NCA Member Status: Full  
KS Chapter Status: Full Program

**Governor's Federal Grants Program**

Juliene Maska, Administrator  
State Capitol  
300 SW 10th Ave., Room 252 East  
Topeka, KS 66612  
(785) 291-3205  
[juliene.maska@gov.state.ks.us](mailto:juliene.maska@gov.state.ks.us)  
NCA Member Status: None  
KS Chapter Status: Supporting

**Kansas Dept. of SRS**

Jane Meschberger, CPS Policy Contact  
CPS/Family Support Unit  
Docking State Office Building  
915 SW Harrison, 5th Floor South  
Topeka, KS 66612  
(785) 296-6030  
[hajem@srskansas.org](mailto:hajem@srskansas.org)  
NCA Member Status: None  
KS Chapter Status: Supporting

**Sedgwick County District Attorney**

Ron Paschal  
Chief Administrative Atty, Juv. Div.  
1001 South Minnesota  
Wichita, KS 67211  
(316) 660-9726  
[rpaschal@sedgwick.gov](mailto:rpaschal@sedgwick.gov)  
NCA Member Status: None  
KS Chapter Status: Supporting

**Officer Randy Coffman**  
Andover Police Dept.  
931 N. Andover Road  
P.O. Box 783  
Andover, KS 67002  
(316) 733-5177  
rcoffman@andoverks.com  
NCA Member Status: None  
KS Chapter Status: Supporting

**David Fyler, MSFT, LMFT**  
Central Plains Counseling Services  
100 Murphy Street  
P.O. Box 883  
Sublette, KS 67877  
(620) 675-8117  
[fylerd@pld.com](mailto:fylerd@pld.com)  
NCA Member Status: None  
KS Chapter Status: Supporting

**Dianna Shunn, RN**  
Via Christi Regional Medical Center  
29 N. St. Francis  
Wichita, KS 67214  
(316) 268-5000  
Diana\_Schunn@via-christi.org  
NCA Member Status: None  
KS Chapter Status: Supporting

**Janese S. Masters, LMSW**  
Program Manager  
Children and Family Services  
915 SW Harrison, 5th Floor South  
Topeka, KS 66612-1570  
(785) 368-8187  
[jsm@srskansas.org](mailto:jsm@srskansas.org)  
NCA Member Status: None  
KS Chapter Status: Supporting

Kansas Department of

# **Social and Rehabilitation Services**

Janet Schalansky, Secretary

**Senate Ways and Means Committee**

March 31, 2004

**HB 2569 - Child Advocacy Centers**

**Integrated Service Delivery**

Candy Shively, Deputy Secretary

785-296-3271

For additional information contact:

Public and Governmental Services Division

Tanya Dorf, Director of Legislative Affairs

Docking State Office Building  
915 SW Harrison, 6<sup>th</sup> Floor North  
Topeka, Kansas 66612-1570  
phone: 785.296.3271  
fax: 785.296.4685  
[www.srskansas.org](http://www.srskansas.org)

Senate Ways and Means  
3-31-04  
Attachment 3

**Kansas Department of Social and Rehabilitation Services**  
**Janet Schalansky, Secretary**

Senate Ways and Means Committee  
March 31, 2004

**HB 2569 - Child Advocacy Centers**

Senator Morris and members of the committee, I am Candy Shively, Deputy Secretary with SRS. Thank you for the opportunity to appear today to discuss House Bill 2569. This bill supports child advocacy centers which are child-focused, supportive environments in which forensic interviews of children who have been abused or neglected are completed. Child Advocacy Centers reduce the number of times a child must be interviewed which improves the quality of information obtained from the child. This in turn, increases achievement of prosecutions. This proposal would require specialized training, tracking of cases referred to the facility and a multi-disciplinary case review team. The centers would either provide or refer children for medical examination services and/or mental health therapy.

Currently, there are six child advocacy centers in the state. An additional center is being developed. These centers are funded primarily from sources such as grants and private donations. SRS staff have worked well with the existing centers and would welcome the opportunity to work with additional centers. Child advocacy centers are an excellent example of how SRS has come together with community partners to improve outcomes for children.

SRS supports the House amendment to this bill to include forensic interviews with children suspected of sexual abuse as well as physical, mental or emotional abuse. Sexual abuse interviews are one of the specialties of these centers and forensic interviews are extremely valuable in these cases.

SRS believes child advocacy centers are a positive addition to the child welfare system and the addition of more centers will benefit communities. Thank you for the opportunity to comment on this bill.

**Kansas Department of Administration  
Howard Fricke, Secretary**

1000 SW Jackson, Suite 500  
Topeka, Kansas 66612-1268  
(785) 296-3011

**Senate Ways and Means Committee  
S.B. 562 Authorizing the Purchase of Collision and Comprehensive Coverage for  
Vehicles**

**D. Keith Meyers, Director  
Divisions of Facilities, Printing, and Purchases  
Thursday, March 25, 2004**

Thank you for this opportunity to provide information regarding S.B. 562.

This bill would require state agencies to purchase collision and comprehensive insurance coverage for their agency owned vehicles. Historically, agencies have participated in a statewide policy for liability coverage bid through the Division of Purchases and approved by the Surety Bond Committee as required by statute. This cost of the liability insurance totaled \$1,105,212 during the most recent policy year, excluding the Department of Transportation. No statutory authority currently exists that would allow agencies or the Central Motor Pool to purchase collision and comprehensive insurance.

Agencies have been responsible for the damage that has occurred with agency owned vehicles. Agencies were also responsible for the damage to Central Motor Pool vehicles that were the fault of the drivers. During FY 2003, there were 87 accidents in this group of vehicles that were the fault of the drivers at a total cost of \$67,557. Agencies were not responsible for the damage to Central Motor Pool vehicles that were not the fault of the drivers. During FY 2003, there were 94 accidents that were not the fault of the drivers at a total cost of \$45,588. There were also 100 incidents of miscellaneous damage due to weather and vandalism totaling \$33,641.

Agencies have taken over ownership of Central Motor Pool vehicles. In addition to the liability coverage already acquired, this bill would require agencies to purchase comprehensive coverage for collision. An estimated cost of providing this coverage would be \$472 per vehicle. With 7,190 vehicles to insure, the total premium cost just for automobiles and trucks would total \$3,393,680.

Senate Ways and Means  
3-31-04  
Attachment 4



# KANSAS

KANSAS REAL ESTATE COMMISSION  
SHERRY C. DIEL, EXECUTIVE DIRECTOR

KATHLEEN SEBELIUS, GOVERNOR

Memo To: Members of Senate Ways and Means Committee  
From: Sherry C. Diel, Executive Director  
RE: SB 562—Purchase of Collision Insurance by State Agencies  
Date: March 25, 2004

The Kansas Real Estate Commission is a small agency. Part of our charge is to audit the records and trust accounts of real estate brokerages across the State. We have three vehicles for use by our auditors. After the elimination of the Central Motor Pool, the Commission was left to self-insure its vehicles. A loss of a \$15,000-\$20,000 vehicle would detrimentally affect small agency budgets. The Commission supports lifting the prohibition to allow agencies to purchase collision insurance. The Commission takes a neutral position on whether the purchase of collision should be mandatory for all agencies.

THREE TOWNSITE PLAZA STE 200, 120 SE 6TH AVE., TOPEKA, KS 66603-3511

Voice 785-296-3411 Fax 785-296-1771 <http://www.accessKansas.org/krec>

*Senate Ways and Means  
3-31-04  
Attachment 5*



**Testimony on Restoration of SGF Transfer Amount to State Water Plan  
to  
The Senate Ways and Means Committee**

**HB 2705**

**by Ken Grotewiel  
Assistant Director  
Kansas Water Office  
March 31, 2004**

Senator Morris and members of the Committee. I am Ken Grotewiel, Assistant Director of the Kansas Water Office. I am pleased to be here in support of HB 2705.

HB 2705 amends K.S.A. 2003 Supp. 82a-953a, repealing the existing section, and returning the State Water Plan Fund demand transfer to its original amount of \$6,000,000 when initially approved. The transfer amount was reduced through an amendment to this statute last year to \$3,773,949 for FY 2004. Passage of this bill continues to allow for annual adjustments to the amount of the demand transfer based on existing fiscal conditions as determined by the Governor and Legislature.

There will be no fiscal impact to the agency or the State General Fund by amending this statute back to the original demand transfer amount. There will be a positive fiscal impact on the State Water Plan Fund in years when the demand transfer is higher than the amount in the current statute or when it is at the \$6,000,000 level.

Thank you for your time and attention today. I would be happy to stand for questions.

Senate Ways and Means  
3-31-04  
Attachment 6

Kansas Department of

# Social and Rehabilitation Services

Janet Schalansky, Secretary

**Senate Ways and Means Committee**

March 31, 2004

**H.B. 2571- Access to KDHE Birth Information**

**Integrated Service Delivery**

Candy Shively, Deputy Secretary

785.296.3271

For additional information contact:  
Public and Governmental Services  
Tanya Dorf, Director of Legislative Affairs

Docking State Office Building  
915 SW Harrison, 6<sup>th</sup> Floor North  
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fax: 785.296.4685  
[www.srskansas.org](http://www.srskansas.org)

Senate Ways and Means  
3-31-04  
Attachment 7

**Kansas Department of Social and Rehabilitation Services**  
**Janet Schalansky, Secretary**

Senate Ways and Means Committee  
March 31, 2004

**H.B. 2571- CSE Access to KDHE Birth Information**

Senator Morris and members of the committee, I am Candy Shively, Deputy Secretary with Social and Rehabilitation Services (SRS). I am here in support of House Bill 2571. SRS has proposed this legislation to provide SRS staff and federal auditors access to information about children born out of wedlock, needed to perform their work.

In 1996, federal welfare reform changed the philosophy and structure of federal audits of the Child Support Enforcement (CSE) program, measuring meaningful outcomes and encouraging performance improvement. Under the new audit structure, great reliance is placed on system-generated data submitted by the State. The audits now occur in two stages. First, federal auditors evaluate the reliability of the data submitted by the State. Second, if the State's data is reliable, they calculate the performance of the state in five key areas, including paternity establishment.

Through the cooperation of the Department of Health and Environment (KDHE), SRS submits to the federal government annual paternity statistics. An issue raised by federal auditors performing the Data Reliability Audit each year is SRS' inability to provide satisfactory access to information confirming the accuracy of data about children who were born out of wedlock. Kansas law (K.S.A. 65-2422d) bars KDHE from revealing a child was born out of wedlock. Federal auditors trying to measure SRS' success in establishing paternity cannot be told by KDHE a child was born out of wedlock, impeding their ability to confirm the accuracy of SRS statistics. This proposed legislation resolves the problem.

For the past several years, federal auditors have reluctantly accepted work-around solutions for confirming the reliability of KDHE's data about children born out of wedlock. However, that flexibility is a thing of the past. The U.S. Department of Health and Human Services (DHHS) in Washington, D.C., has recently identified specific information a state will be expected to provide in order to pass the Data Reliability Audit. SRS can no longer rely on goodwill and the flexibility of federal auditors -- the law needs to be modified to authorize access to necessary KDHE information. The entrance conference initiating SRS' next Data Reliability Audit was held on March 23rd.

Federal specifications for confirming the reliability of data on children born out of wedlock are limited and make sense. Like SRS workers, federal auditors are subject to stringent ethical and legal requirements for preserving the confidentiality of information they receive during an audit.

The Data Reliability Audits are critical because failure to submit data passing the federal standard for reliability can cost the state all or part of federal incentive funds available. In recent years, Kansas has received between \$2.0 and \$3.0 million in incentives, all of which has gone into the SRS fee fund to help pay the state's share of CSE program costs.

The final change proposed to K.S.A. 65-2422d will allow SRS staff to request, for purposes of establishing parentage, a copy of a child's birth certificate directly from KDHE. That authority would not extend to children outside the CSE Program. Presently, if the custodial parent is unable to provide a certified copy of the birth certificate, SRS must require the parent to order one from KDHE -- at a cost of \$12 to the parent. This may seem like an insignificant expense, but the vast majority of CSE paternity cases involve families currently receiving public assistance -- those who can least afford to spend \$12 for a piece of paper. If SRS were able to order the birth certificate directly, it would relieve these families of the expense and allow 66% of the cost to be passed on to the federal government. The State's cost for this additional service to our economically vulnerable families is estimated to be less than \$3,000 per year.

The time lost during the current roundabout process delays completion of the paternity case and the first support payments in the case. SRS estimates the gain in time would allow \$87,000 in additional child support collections each year, of which \$21,000 would be State revenues.

SRS believes the provisions of H.B. 2571 are important to the continued success and improvement of paternity establishment services. I would be glad to respond to any questions you may have.



# K A N S A S

RODERICK L. BREMBY, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

DEPARTMENT OF HEALTH AND ENVIRONMENT

Testimony on Child Support Enforcement Obtaining Birth Information – HB 2571  
To  
Ways and Means Committee  
Presented by Dr. Lorne A. Phillips  
State Registrar and Director of the Center for Health & Environmental Statistics  
Kansas Department of Health and Environment

March 31, 2004

Senator Morris and members of the Ways and Means Committee, I am pleased to appear before you today to support House Bill 2571 which amends the Uniform Vital Statistics Act to allow Child Support Enforcement staff to obtain birth certificate information to improve their program management.

We support this bill on the basis of the need for specific Federal and State Child Support Enforcement employees to obtain birth certificate information for the administration of the federal Title IV-D program. The process that will be implemented will improve service delivery to Kansas citizens and will ensure that the Kansas Title IV-D program meets federal requirements.

CENTER FOR HEALTH AND ENVIRONMENTAL STATISTICS

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*Senate Ways and Means  
3-31-04  
Attachment 8*