

Ladies and Gentleman,

My name is Ann Roberts and I am testifying in support of the intent of S sub SB29, and to encourage your consideration of limiting the current powers that Chapter 65 gives Health Departments in Kansas. Our recent experience with the local health departments might give some insight as to our concern about Chapter 65.

On February 14, just last month, my 14 year old daughter was identified by her school district as a potential close contact of another student with chicken pox. When the school district contacted me regarding the matter, they offered very little information; they informed me that she was a close contact, instructed that she would not be allowed to come to school for 21 days, and that if I took her immediately to get a vaccine that day, then she would have the option of returning to school immediately. The school district principal agreed that he didn't think my daughter was a threat to anyone, but stated he had to follow the health department orders. At this point I had received zero contact from the local health department. After making several inquiries of the school district regarding the issue, I was finally contacted by a member of the Reno County Health Department, a week after the initial order to not return to school. The health department personnel who contacted me stated that she didn't have the specifics of the contact tracing, as she confirmed that the school district had performed that investigation. She told me that I was too concerned with "the legalities in this case", and that my daughter needed to be quarantined at home as she was considered a "threat to the public." At the conclusion of our phone conversation, she told me to let her know by the end of the day if we were going to comply with the verbal order or if I wanted them to write a formal quarantine order. She indicated that most of the time they don't need to write an order; people usually comply.

I had already been in contact with an attorney who sent cease and desist letters to the Reno County HD and my child's school district on the afternoon of February 21st. KORA documents revealed that after receiving the cease and desist letter, the school district then required the Reno County HD issue a formal, legal quarantine notice so that they could justify excluding my daughter from school. Only after the cease and desist letters were received, and with pressure from the school, the Reno County HD decided to do contact tracing, and realized that we live in Harvey County. The next day, a Saturday, I was contacted by the Harvey County Health Department. Without doing any of their own contact tracing or investigation, the next morning, a Sunday morning, a member of the Harvey Co HD arrived at our home and delivered a letter of quarantine to my minor daughter. We later discovered in the KORA documents that the Harvey County Sheriff had refused to act upon the HD's request to serve the quarantine letter. The order stated that our healthy daughter was not allowed to leave our home for any reason, no exceptions, not even if she needed emergency medical care.

Through our attorney, we filed for injunctive relief on the basis of constitutionality, and violations to the prescribed quarantine laws. The judge invalidated the quarantine from Harvey County on procedural violations. The case against Reno County HD was dismissed as the order from them was not a compulsory order. The case against the school district continues, as the judge stated there exists discrepancies between the state laws and the rules and regulations that school

districts follow. In the meantime, my healthy 14-year old daughter has missed three weeks of valuable instruction in honors level classes, and was exempted from some classes. She was also excluded from the last three weeks of her short basketball season and missed the first few days of softball season. This is time and participation in academics and extracurriculars she cannot get back. We will continue to devote time now in an ongoing court case with the school district, valuable time that we don't really have just to prove the government overreach that took place in this case.

We believe that the school district and two county health departments colluded to exclude a healthy child from school and quarantine her to her home. They claim they have the broad authority to do this based on the loose definitions and broad, vague authority granted to health departments and school districts.

I am here today to request that this committee do more to protect the rights of citizens and amend S sub SB29 to limit health departments to recommendations and education about illnesses, but not to restrict the free movement of healthy citizens. The statutes that seem to guide and govern health departments are contradictory; this needs to be addressed so that citizens are not irreparably harmed by confusing and conflicting statutes and rules that violate citizen rights.

Thank you for your time,

Ann Roberts