



Kansas Association of Addiction Professionals

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Kansas Association of Addiction Professionals

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Testimony Regarding the Kansas Problem Gambling and Addictions Grant Fund

Chairperson McGinn and Members of the Legislative Budget Committee,

Thank you for the opportunity to provide testimony today regarding the Kansas Problem Gambling and Addictions Grant Fund. I am Les Sperling, CEO of the Central Kansas Foundation, based in Salina and providing addiction treatment services in central and western Kansas. I am also appearing today on behalf of the Kansas Association of Addiction Professionals (KAAP), the trade association of addiction treatment and prevention professionals from across the state of Kansas. We support Kansas Department on Aging and Disability Services (KDADS) Problem Gambling and Addictions Task Force recommendations for the future use of the Problem Gambling and Addictions Grant Funds. KDADS employed a comprehensive stakeholder process and we commend them for their work and conclusions.

The Expanded Lottery Act (2007 session Senate Bill 66, section 55 is attached) established the Problem Gambling and Addictions Grant Fund. Two percent of state gaming revenues are set aside for addressing problem gambling AND other addiction issues including a broad range of addiction treatment issues, address long-standing funding deficiencies and co-occurring addiction issues, as well as prevention services. The statute was generally limited in articulating the specific uses for funds and that has created problems in prior years. Treatment providers have been frustrated by the failure to make use of these funds. The FY 2013 budget, for example, used the PGAGF money to supplant State General Fund dollars for addiction treatment. The bookkeeping move saved the State \$6.5 million but did not expand any services at all. Now that KDADS has completed the Task Force recommendations, we strongly endorse its conclusions and urge the Governor and the Legislature to enact them.

I want the members to be aware that the need exists now in Kansas for substance abuse treatment and prevention programs. Individuals in Kansas in need of public treatment are served through your generous support and federal grants. A small portion, about 6,000 are eligible for Medicaid funding—they are mainly poor, pregnant women, children, or disabled. As stated in the KDADS Problem Gambling and Addictions Task Force Report:

Based upon the 2008/2009 National Survey on Drug Use and Health (NSDUH),⁹ there are an estimated 211,541 Kansans with a substance use disorder (SUD). In Fiscal Year 2009, 16,591 received state-supported substance use disorder treatment. The primary substances of abuse reported by treatment seekers were alcohol (45%), marijuana (17%), methamphetamine (11%), and cocaine (10%)... When viewing the estimated treatment need compared to those treated in Fiscal Year 2009, it is clear there is a significant treatment gap.

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Attachment: 3

Since FY 2009, funding for addiction treatment has declined by over \$10 million through cuts to grants (for non-Medicaid eligible consumers) and in Medicaid caseload reductions (which reduced federal funding and the state match). The need exists for treatment and the PGAGF exists to partially fill that gap.

We are very aware of tight budget times, but the use of Problem Gambling and Addictions Grant Funds up to this point is contrary to the Legislature's intention. We look for your support for KDADS Problem Gambling and Addictions Task Force's recommendations and most importantly to carry out the funding requirements to make it happen during the 2013 legislative session.

Again, thank you for the opportunity to provide testimony today. I am happy to stand for questions at the appropriate time.

1 [New Sec. 54. (a) The Kansas racing and gaming commission
2 shall establish a greyhound promotion and development fund
3 which shall be funded through a voluntary greyhound purse check-
4 off program which shall provide for the deduction of 2% from all
5 purses paid to kennels and greyhound owners who participate in
6 the program. Greyhound owners and kennel operators shall be
7 provided an opportunity annually to not participate in the program
8 by signing a form approved by the Kansas racing and gaming com-
9 mission. Moneys deposited into the fund shall be used for the de-
10 velopment, promotion and representation of the greyhound in-
11 dustry in Kansas and shall be distributed to the organization
12 contracted with by the Kansas racing and gaming commission to
13 administer the official greyhound registry in Kansas.

14 [(b) This section shall be part of and supplemental to the Kan-
15 sas parimutuel racing act.

16 [Sec. 55. K.S.A. 2006 Supp. 79-4805 is hereby amended to
17 read as follows: 79-4805. (a) There is hereby established in the
18 state treasury the problem gambling *and addictions* grant fund. All
19 moneys credited to such fund shall be used only for the awarding
20 of grants under this section. Such fund shall be administered in
21 accordance with this section and the provisions of appropriation
22 acts.

23 [(b) All expenditures from the problem gambling *and addictions*
24 grant fund shall be made in accordance with appropriation acts
25 upon warrants of the director of accounts and reports issued pur-
26 suant to vouchers approved in the manner prescribed by law.

27 [(c) (1) There is hereby established a state grant program to
28 provide assistance for the direct treatment of persons diagnosed
29 as suffering from pathological gambling and to provide funding
30 for research regarding the impact of gambling on residents of Kan-
31 sas. Research grants awarded under this section may include, but
32 need not be limited to, grants for determining the effectiveness of
33 education and prevention efforts on the prevalence of pathological
34 gambling in Kansas. All grants shall be made after open solicitation
35 of proposals and evaluation of proposals against criteria estab-
36 lished in rules and regulations adopted by the secretary of the
37 department of social and rehabilitation services. Both public and
38 private entities shall be eligible to apply for and receive grants
39 under the provisions of this section.

40 [(2) Moneys in the problem gambling *and addictions* grant fund may
41 be used to treat alcoholism, drug abuse and other addictive behaviors.

42 [(d) The secretary of the department of social and rehabilita-
43 tion services is hereby authorized to receive moneys from any

1 grants, gifts, contributions or bequests made for the purpose of
2 funding grants under this section and to expend such moneys for
3 the purpose for which received.

4 [(e) All grants made in accordance with this section shall be
5 made from the problem gambling *and addictions* grant fund. The
6 secretary shall administer the provisions of this section and shall
7 adopt rules and regulations establishing criteria for qualification
8 to receive grants and such other matters deemed necessary by the
9 secretary for the administration of this section. Such rules and reg-
10 ulations shall include, but need not be limited to, a requirement
11 that each recipient of a grant to provide treatment for pathological
12 gamblers report at least annually to the secretary the grantee's
13 measurable achievement of specific outcome goals.

14 [(f) For the purpose of this section "pathological gambling"
15 means the disorder by that name described in the most recent
16 edition of the diagnostic and statistical manual.

17 [(g) On the effective date of this act the director of accounts and
18 reports shall transfer all moneys in the problem gambling grant fund to
19 the problem gambling and addictions grant fund. Thereupon the problem
20 gambling grant fund shall be and is hereby abolished.

21 [Sec. 56. K.S.A. 2006 Supp. 12-4516 is hereby amended to
22 read as follows: 12-4516. (a) (1) Except as provided in subsection
23 (b) or (c), any person who has been convicted of a violation of a
24 city ordinance of this state may petition the convicting court for
25 the expungement of such conviction and related arrest records if
26 three or more years have elapsed since the person:

27 [(A) Satisfied the sentence imposed; or
28 [(B) was discharged from probation, parole or a suspended
29 sentence.

30 [(2) Except as provided in subsection (b) or (c), any person who
31 has fulfilled the terms of a diversion agreement based on a viola-
32 tion of a city ordinance of this state may petition the court for the
33 expungement of such diversion agreement and related arrest re-
34 cords if three or more years have elapsed since the terms of the
35 diversion agreement were fulfilled.

36 [(b) No person may petition for expungement until five or
37 more years have elapsed since the person satisfied the sentence
38 imposed or the terms of a diversion agreement or was discharged
39 from probation, parole, conditional release or a suspended sen-
40 tence, if such person was convicted of the violation of a city ordi-
41 nance which would also constitute:

42 [(1) Vehicular homicide, as defined by K.S.A. 21-3405, and
43 amendments thereto;