

MINUTES OF THE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman Vicki Schmidt at 1:30 p.m. on March 2, 2011, in Room 546-S of the Capitol.

All members were present.

Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes  
Katherine McBride, Office of the Revisor of Statutes  
Melissa Calderwood, Kansas Legislative Research Department  
Iraida Orr, Kansas Legislative Research Department  
Estelle Montgomery, Kansas Legislative Research Department  
Carolyn Long, Committee Assistant

Conferees appearing before the Committee:

Marcia Miller  
Glen Yancey  
Dr. Kevin Sundbye  
Linda LeMieux  
Kittie Umschild  
Christy Caldwell, Topeka Chamber  
Mary Jamiez  
Tom Myers

Others attending:

See attached list.

The Chair opened the hearing on the proposed closure of the Kansas Neurological Institute (KNI). The Chair noted that proponents originally scheduled to appear canceled their appearance prior to the meeting but called the committee's attention to written testimony from Ray Dalton, Deputy Secretary, Disability and Behavioral Health Services, SRS (Attachment #1), Jane Rhys, Kansas Council on Developmental Disabilities (Attachment #2), and Brad Linnenkamp (Attachment #3). Senator Kelsey wanted his objection noted that there was no representation by government officials and requested that a member from SRS appear to respond to committee concerns.

The Chair welcomed Marcia Miller. Marcia is the advocate for her sister, a resident at KNI and gave the committee a rundown of her daily routine that would not be possible without the resources available to her at KNI (Attachment #4).

Glen Yancey expressed his concern over the pending closure of KNI. Mr. Yancey, a former disability examiner with the State of Kansas Disability Determination Services, stated that individuals who resided at KNI were far more profoundly affected by multiple developmental disabilities and ongoing medical problems than were those from other institutions. He feels that facility-based services such as those offered by KNI should be one of the options from which individuals with profound developmental disabilities and their families and caregivers can choose (Attachment #5).

Senator Reitz said no Kansas legislator should vote on the proposed closure without visiting the KNI campus and meeting residents.

Dr. Kevin Sundbye, medical director for KNI and a Stormont-Vail Health Care physician, stated that he would do anything he could at anytime to see that this facility remain open. There are 168 residents at KNI and that it would ludicrous to attempt to relocate 75% of the population; the other 25% whom they have attempted to provide alternative housing have eventually returned to KNI. He reminded the committee that in addition to the more visible care provided there are also specialized provisions for the residents including dental care, a rail system for transporting residents, x-rays, lab work, IVs and a specialist for wheelchair alignment and adjustment to modify for pressure points for each individual resident. He feels that if these patients are outsourced they will do well for the first few months and then something will happen where the outsourced facilities will not be able to treat the patient, the staff at area hospitals will be overburdened, and finally the care facilities would not want them returned. He personally volunteered to take anyone interested for a tour of KNI.

## CONTINUATION SHEET

The minutes of the Public Health and Welfare Committee at 1:30 a.m. on March 2, 2011, in Room 546-S of the Capitol.

Linda LeMieux is the sister and legal guardian for her brother. It discourages her that once again she is having to justify why residents at KNI deserve to remain in their home. The health of these residents has deteriorated and they have become even more fragile; therefore, their level of care and continuity of their home life need to remain constant now more than ever ([Attachment #6](#)).

Representing her brother Randy, Kittie Umscheid stated that closing KNI would result in the loss of expertise and experience of the current employees along with their understanding of the needs of those in their care. She was informed that Medicaid would not cover psychological treatment in the community so the developmentally disabled adults needing this type of treatment would go without due to a complex set of regulations ([Attachment #7](#)).

Representing the Greater Topeka Chamber of Commerce, Christy Caldwell stated that if the motive for closing KNI is saving the state dollars, that it receive careful consideration of whether there are real cost savings or cost shifts. The Chamber commissioned an economic impact analysis of KNI on Topeka for the State Closure Commission in 2009 ([Attachment #8](#)).

Mary Jamiez said it would be a terrible setback if KNI was destroyed because the state had a budget issue. She pleaded with the legislature to find ways to change, cut, consolidate and find the means to make it work so that the lives of their loved ones would not be disrupted ([Attachment #9](#)).

Tom Myers has a nephew at KNI and stated that the intense services available there just do not exist anywhere else. There may indeed be a savings by closing KNI but it would come at the expense of the residents and eventually their death.

Whitney Damron, appearing on behalf of the City of Topeka, respectfully urged care, compassion and caution by the Committee and the Legislature before moving forward to close a facility that has been providing critical services to the most vulnerable citizens of our community for nearly 50 years ([Attachment #10](#)).

Other written testimony in opposition to the closure of KNI was presented by Frances Sapp on behalf of her son ([Attachment #11](#)), Judy Ford on behalf of her son ([Attachment #12](#)), Ann Perrin Riggs ([Attachment #13](#)), and Robert Erickson, President and CEO at St. Francis Health Center and Maynard Oliverius, President and CEO of Stormont-Vail healthCare, Inc., asking for reconsideration of the decision to close KNI ([Attachment #14](#)), Jane Carter, Kansas Organization of State Employees ([Attachment #15](#)), and Arlene Leuszler ([Attachment #16](#)).

The Chair called the committee's attention to a packet of Petitions to Save KNI ([Attachment #17](#)).

Senator Kelsey moved that the committee unanimously support continuation of the great work of the Kansas Neurological Institute, seconded by Senator Brungardt. Senator Pilcher-Cook introduced a sub-motion to request in writing the appearance of the Secretary of Social and Rehabilitation Services before the committee to answer concerns, seconded by Senator Steineger. Both the sub-motion and the motion passed.

The next meeting is scheduled for March 3, 2011.

The meeting was adjourned at 2:30 p.m.

CONTINUATION SHEET

The minutes of the Public Health and Welfare Committee at 1:30 a.m. on March 2, 2011, in Room 546-S of the Capitol.