

HOUSE BILL No. 2296

By Committee on Aging and Long-Term Care

2-11

1 AN ACT concerning state institutions and agencies; establishing the joint
2 committee on oversight of the closure of the Kansas neurological
3 institute and the Kansas neurological institute community conversion
4 conservation fund.

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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) There is hereby established the joint committee on
8 oversight of the closure of the Kansas neurological institute. The joint
9 committee shall review the number of individuals who are transferred
10 from the Kansas neurological institute to home and community based
11 services and the associated cost savings and other outcomes of the
12 money-follows-the-person program. The joint committee shall review the
13 data and information submitted by the Kansas facilities closure and
14 realignment commission regarding community placement costs, proposed
15 costs incurred by the Kansas neurological institute transition of Kansas
16 neurological institute residents to the community and projected savings in
17 the closure of the Kansas neurological institute. The joint committee may
18 consider other data or information that the joint committee deems
19 necessary to review in the joint committee's oversight of the closure of
20 the Kansas neurological institute.

21 (1) The joint committee shall have oversight of savings resulting
22 from the transfer of individuals from the Kansas neurological institute to
23 home and community based services. As used in this act, "savings"
24 means the difference between the average cost of providing services for
25 individuals in an institutional setting and the cost of providing services in
26 a home and community based setting.

27 (2) The joint committee shall consider the issues of whether
28 sufficient funding is provided for enhancement of wages and benefits of
29 direct individual care workers, their staff training, and whether adequate
30 progress is being made to transfer individuals from the Kansas
31 neurological institute and to move them from the waiver waiting lists to
32 receive home and community based services.

33 (3) The joint committee shall review and ensure that any proceeds
34 resulting from a successful transfer of individuals from the Kansas
35 neurological institute be applied to the system of provision of services for
36 home and community based services.

1 (b) The joint committee shall consist of nine members as follows:

2 (1) One member of the house of representatives appointed by the
3 speaker of the house of representatives;

4 (2) one member of the house of representatives appointed by the
5 minority leader of the house of representatives;

6 (3) one member of the senate appointed by the president of the
7 senate;

8 (4) one member of the senate appointed by the minority leader of the
9 senate;

10 (5) one member of the house of representatives appointed by the
11 chairperson of the house committee on appropriations;

12 (6) one member of the senate appointed by the chairperson of the
13 senate committee on ways and means;

14 (7) one member of the house of representatives appointed by the
15 ranking minority member of the house committee on appropriations;

16 (8) one member of the senate appointed by the ranking minority
17 member of the senate committee on ways and means; and

18 (9) one member of the house of representatives appointed by the
19 majority leader of the house of representatives.

20 (c) Members shall be appointed for terms coinciding with the
21 legislative terms for which such members are elected or appointed. All
22 members appointed to fill vacancies in the membership of the joint
23 committee and all members appointed to succeed members appointed to
24 membership on the joint committee shall be appointed in the manner
25 provided for the original appointment of the member succeeded. The first
26 meeting of the joint committee shall be held before August 1, 2011.

27 (d) The members originally appointed as members of the joint
28 committee shall meet upon the call of the member appointed by the
29 speaker of the house of representatives, who shall be the first chairperson,
30 within 30 days of the effective date of this act. The vice-chairperson of
31 the joint committee shall be appointed by the president of the senate.
32 Chairperson and vice-chairperson shall alternate annually between the
33 members appointed by the speaker of the house of representatives and the
34 president of the senate. The ranking minority member shall be from the
35 same chamber as the chairperson. The joint committee shall meet at least
36 four times each year at the call of the chairperson of the joint committee.
37 Five members of the joint committee shall constitute a quorum.

38 (e) At the beginning of each regular session of the legislature, the
39 committee shall submit to the president of the senate and the speaker of
40 the house of representatives a written report on numbers of individuals
41 transferred from the Kansas neurological institute to the home and
42 community based services including the average daily census in the state
43 institutions and long-term care facilities, savings resulting from the

1 transfer certified by the secretary of social and rehabilitation services and
2 the current balance in the Kansas neurological institute community
3 conversion conservation fund of the department of social and
4 rehabilitation services.

5 (f) Members of the committee shall be paid compensation, travel
6 expenses and subsistence expenses or allowance as provided in K.S.A.
7 75-3212, and amendments thereto, for attendance at any meeting of the
8 joint committee or any subcommittee meeting authorized by the
9 committee.

10 Sec. 2. (a) (1) There is hereby established the Kansas
11 neurological institute community conversion conservation fund in the
12 state treasury which shall be administered by the secretary of social and
13 rehabilitation services. All savings resulting from transferring individuals
14 from the Kansas neurological institute to home and community based
15 services shall be deposited in this fund. All expenditures from the Kansas
16 neurological institute community conversion conservation fund shall be
17 in accordance with the provisions of appropriation acts upon vouchers
18 approved by the secretary of social and rehabilitation services or the
19 secretary's designee.

20 (2) Whenever an individual who is residing in the Kansas
21 neurological institute transfers to home and community based services,
22 the secretary of social and rehabilitation services shall determine the
23 savings attributable to such transfer and shall certify the amount or
24 amounts of such savings to the director of accounts and reports. Upon
25 receipt of each such certification, the director of accounts and reports
26 shall transfer the amount or amounts specified in such certification from
27 the funds and accounts specified to the Kansas neurological institute
28 community conversion conservation fund of the department of social and
29 rehabilitation services in accordance with such certification. The
30 secretary of social and rehabilitation services shall transmit a copy of
31 each such certification to the director of the budget and to the director of
32 legislative research.

33 (b) The secretary shall certify to the joint committee on oversight of
34 the closure of the Kansas neurological institute at the beginning of each
35 calendar quarter the amount of savings resulting from the transfer of
36 individuals from the Kansas neurological institute to home and
37 community based services that have been transferred during the
38 preceding calendar quarter to the Kansas neurological institute
39 community conversion conservation fund during the preceding quarter.

40 (c) If any provision of this section is repealed or becomes null and
41 void and has no further force and effect, all moneys in the Kansas
42 neurological institute community conversion conservation fund which
43 were paid under the provisions of this section shall be returned to the

1 home and community based services waiver for individuals with
2 developmental disabilities.

3 Sec. 3. This act shall take effect and be in force from and after its
4 publication in the statute book.

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