

As Amended by House Committee

Session of 2011

HOUSE BILL No. 2296

By Committee on Aging and Long-Term Care

2-11

1 AN ACT concerning state institutions and agencies; establishing the
2 joint committee on oversight of the closure of the Kansas
3 neurological institute and the Kansas neurological institute
4 community conversion 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
13 the data and information submitted by the Kansas facilities closure and
14 realignment commission regarding community placement costs,
15 proposed costs incurred by the Kansas neurological institute transition
16 of Kansas neurological institute residents to the community and
17 projected savings in the closure of the Kansas neurological institute.
18 The joint committee may consider other data or information that the
19 joint committee deems necessary to review in the joint committee's
20 oversight of the closure of 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
23 to 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
26 in 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
29 of direct individual care workers, their staff training, and whether
30 adequate progress is being made to transfer individuals from the
31 Kansas neurological institute and to move them from the waiver
32 waiting lists to receive home and community based services.

33 (3) The joint committee shall review and ensure that any proceeds

1 resulting from a successful transfer of individuals from the Kansas
2 neurological institute be applied to the system of provision of services
3 for home and community based services.

4 (b) The joint committee shall consist of ~~nine~~ **11** members as
5 follows:

6 (1) One member of the house of representatives appointed by the
7 speaker of the house of representatives;

8 (2) one member of the house of representatives appointed by the
9 minority leader of the house of representatives;

10 (3) one member of the senate appointed by the president of the
11 senate;

12 (4) one member of the senate appointed by the minority leader of
13 the senate;

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

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

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

20 (8) one member of the senate appointed by the ranking minority
21 member of the senate committee on ways and means; ~~and~~

22 (9) one member of the house of representatives appointed by the
23 majority leader of the house of representatives; ~~and~~

24 **(10) two members appointed by the governor, one of which**
25 **shall be a former employee of the Kansas neurological institute and**
26 **the other of which is a parent of a current resident of the Kansas**
27 **neurological institute.**

28 (c) Members shall be appointed for terms coinciding with the
29 legislative terms for which such members are elected or appointed. All
30 members appointed to fill vacancies in the membership of the joint
31 committee and all members appointed to succeed members appointed
32 to membership on the joint committee shall be appointed in the manner
33 provided for the original appointment of the member succeeded. The
34 first meeting of the joint committee shall be held before August 1,
35 2011.

36 (d) The members originally appointed as members of the joint
37 committee shall meet upon the call of the member appointed by the
38 speaker of the house of representatives, who shall be the first
39 chairperson, within 30 days of the effective date of this act. The vice-

1 chairperson of the joint committee shall be appointed by the president
2 of the senate. Chairperson and vice-chairperson shall alternate annually
3 between the members appointed by the speaker of the house of
4 representatives and the president of the senate. The ranking minority
5 member shall be from the same chamber as the chairperson. The joint
6 committee shall meet at least four times each year at the call of the
7 chairperson of the joint committee. Five members of the joint
8 committee shall constitute a quorum.

9 (e) At the beginning of each regular session of the legislature, the
10 committee shall submit to the president of the senate and the speaker of
11 the house of representatives a written report on numbers of individuals
12 transferred from the Kansas neurological institute to the home and
13 community based services including the average daily census in the
14 state institutions and long-term care facilities, savings resulting from
15 the transfer certified by the secretary of social and rehabilitation
16 services and the current balance in the Kansas neurological institute
17 community conversion conservation fund of the department of social
18 and rehabilitation services.

19 (f) Members of the committee shall be paid compensation, travel
20 expenses and subsistence expenses or allowance as provided in K.S.A.
21 75-3212, and amendments thereto, for attendance at any meeting of the
22 joint committee or any subcommittee meeting authorized by the
23 committee.

24 Sec. 2. (a) (1) There is hereby established the Kansas
25 neurological institute community conversion conservation fund in the
26 state treasury which shall be administered by the secretary of social and
27 rehabilitation services. All savings resulting from transferring
28 individuals from the Kansas neurological institute to home and
29 community based services shall be ~~deposited in this~~ **credited to the**
30 **Kansas neurological institute community conversion conservation**
31 **fund. All proceeds resulting from a sale, lease, mortgage or any**
32 **other transaction of Kansas neurological institute real or personal**
33 **property shall be deposited in the state treasury in accordance with**
34 **the provisions of K.S.A. 75-4215, and amendments thereto, and**
35 **shall be credited to the Kansas neurological institute community**
36 **conversion conservation fund.** All expenditures from the Kansas
37 neurological institute community conversion conservation fund shall be
38 in accordance with the provisions of appropriation acts upon vouchers
39 approved by the secretary of social and rehabilitation services or the

1 secretary's designee.

2 (2) Whenever an individual who is residing in the Kansas
3 neurological institute transfers to home and community based services,
4 the secretary of social and rehabilitation services shall determine the
5 savings attributable to such transfer and shall certify the amount or
6 amounts of such savings to the director of accounts and reports. Upon
7 receipt of each such certification, the director of accounts and reports
8 shall transfer the amount or amounts specified in such certification
9 from the funds and accounts specified to the Kansas neurological
10 institute community conversion conservation fund of the department of
11 social and rehabilitation services in accordance with such certification.
12 The secretary of social and rehabilitation services shall transmit a copy
13 of each such certification to the director of the budget and to the
14 director of legislative research.

15 (b) The secretary shall certify to the joint committee on oversight
16 of the closure of the Kansas neurological institute at the beginning of
17 each calendar quarter the amount of savings resulting from the transfer
18 of individuals from the Kansas neurological institute to home and
19 community based services that have been transferred during the
20 preceding calendar quarter to the Kansas neurological institute
21 community conversion conservation fund during the preceding quarter.

22 (c) If any provision of this section is repealed or becomes null and
23 void and has no further force and effect, all moneys in the Kansas
24 neurological institute community conversion conservation fund which
25 were paid under the provisions of this section shall be returned to the
26 home and community based services waiver for individuals with
27 developmental disabilities.

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

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