



# Association of Community Mental Health Centers of Kansas, Inc.

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## Testimony to House Committee on Federal and State Affairs on House Bill 2055

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Mister Chairman and members of the Committee, my name is Mike Hammond and I serve as the Executive Director of the Association of Community Mental Health Centers of Kansas, Inc. The Association appreciates the opportunity to present testimony on HB 2055, which amends the Personal and Family Protection Act.

The Association represents the 27 licensed Community Mental Health Centers (CMHCs) in Kansas who provide home and community-based, as well as outpatient mental health services in all 105 counties in Kansas, 24-hours a day, seven days a week. In Kansas, CMHCs are the local Mental Health Authorities coordinating the delivery of publicly funded community-based mental health services. As part of licensing regulations, CMHCs are required to provide services to all Kansans needing them, regardless of their ability to pay. This makes the community mental health system the "safety net" for Kansans with mental health needs, collectively serving over 127,000 Kansans with mental illness.

In 2006, legislation was passed that enacted the Personal and Family Protection Act. This legislation allows the Kansas Attorney General the ability to issue four-year licenses for individuals to carry concealed handguns. Included in the legislation were numerous locations where carrying a concealed weapon would be restricted. Among these locations are CMHCs.

House Bill 2055 would place an additional burden on the two county-operated CMHCs, in addition to the CMHCs that lease or share space with public entities. Under the amendments in the bill, the carrying of concealed handgun would not be prohibited unless adequate security measures are in place to ensure that no weapons would be permitted to be carried into the building. This would force the CMHCs (as we've specified) to adopt such security measures.

The effects of House Bill 2055 would be increased expenses and potential liability, and ultimately could interfere with our ability to provide mental health treatment to individuals in need. This would come at a time when the public mental health system is at a breaking point. Since FY 2007, CMHCs have seen a reduction of 50% to the mental health reform grants, which is the source of funding used to pay for services to the uninsured and underinsured in Kansas, that number as it stands now is 90,000 individuals and as a system we've seen that number increase 24% over the same time period.

Individuals seeking treatment at a CMHC present with an array of mental health issues, and the issue that could arise with passage of House Bill 2055 revolves around how we would handle treatment for such individuals when they are carrying a concealed weapon. By statute, the CMHCs must treat every person who walks through the door. So if an individual who is in crisis walks through our door carrying a concealed

weapon, that situation presents a dangerous scenario not only to our staff, but also for other patients seeking treatment. Would a CMHC even have the legal authority to require the removal of the weapon prior to treatment? It is important for issues such as these be addressed prior to any action on House Bill 2055.

As the bill is written, certain entities such as state or municipal-owned medical care facilities, state or municipal-owned adult care homes, and post secondary educational institutions are able to exempt themselves for a period of four years. Therefore, we would respectfully request that before House Bill 2055 is acted upon, that an amendment be included giving CMHCs the authority for exemption as the bill currently provides for these other entities.

Thank you for the opportunity to testify before you and we appreciate your consideration of our comments.

1 licensed to carry a concealed handgun concerning acts or omissions  
2 regarding such handguns.

3 (g) The governing body or the chief administrative officer, if no  
4 governing body exists, of a state or municipal-owned medical care facility  
5 as defined in K.S.A. 65-425, and amendments thereto, may exempt itself  
6 from this section for a period of four years by stating the reasons for such  
7 exemption. Notice of this exemption shall be sent to the Kansas attorney  
8 general.

9 ~~(h) The governing body or the chief administrative officer, if no  
10 governing body exists, of a state or municipal-owned adult care home as  
11 defined in K.S.A. 39-923, and amendments thereto, may exempt itself  
12 from this section for a period of four years by stating the reasons for such  
13 exemption. Notice of this exemption shall be sent to the Kansas attorney  
14 general.~~

15 (i) The governing body or the chief administrative officer, if no  
16 governing body exists, of a post secondary educational institution, as  
17 defined in K.S.A. 74-3201b, and amendments thereto, may exempt the  
18 institution from this section for a period of four years by stating the  
19 reasons for such exemption. Notice of this exemption shall be sent to the  
20 Kansas attorney general.

21 (j) Subject to provisions of subsection (b), nothing in this act shall  
22 limit the ability of a corrections facility, a jail facility or a law enforcement  
23 agency to prohibit the carrying of a concealed handgun by any person on  
24 such premises.

25 (k) For purposes of this section:

26 (1) "Adequate security measures" means the use of electronic  
27 equipment and personnel at public entrances to detect and restrict the  
28 carrying of any weapons into the state or municipal building, including,  
29 but not limited to, metal detectors, metal detector wands or any other  
30 equipment used for similar purposes to ensure that weapons are not  
31 permitted to be carried into such building by members of the public.

32 (2) The terms "municipality" and "municipal" are interchangeable  
33 and have the same meaning as the term "municipality" is defined in  
34 K.S.A.75-6102, and amendments thereto, but does not include school  
35 districts.

36 (3) "Restricted access entrance" means an entrance that is restricted to  
37 the public and requires a key, keycard, code, or similar device to allow  
38 entry to authorized personnel.

39 (4) "State" means the same as the term is defined in K.S.A. 75-6102,  
40 and amendments thereto.

41 (5) "State or municipal building" means a building owned or leased  
42 by such public entity. It does not include a building owned by the state or a  
43 municipality which is leased by a private entity whether for profit or not-

(h) The governing body or the chief administrative officer, if no governing body exists, of a state or municipal-owned adult care home as defined in K.S.A. 39-923, and amendments thereto, or of a community mental health center organized pursuant to K.S.A. 19-4001 et seq., and amendments thereto, may exempt itself from this section for a period of four years by stating the reasons for such exemption. Notice of this exemption shall be sent to the Kansas attorney general.

