

Approved: May 7, 2008
Date

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 10:30 A.M. on March 7, 2008, in Room 123-S of the Capitol.

All members were present except:

Senator Carolyn McGinn - excused
Senator Chris Steineger - excused

Committee staff present:

Jill Wolters, Senior Assistant, Revisor of Statutes
Alan Conroy, Director, Kansas Legislative Research Department
Kristen Clarke Kellems, Assistant Revisor of Statutes
Amy Deckard, Kansas Legislative Research Department
Audrey Dunkel, Kansas Legislative Research Department
Reed Holwegner, Kansas Legislative Research Department
J. G. Scott, Kansas Legislative Research Department
Jarod Waltner, Kansas Legislative Research Department
Melinda Gaul, Chief of Staff, Senate Ways & Means
Mary Shaw, Committee Assistant

Conferees appearing before the committee:

Jane Rhys, Ph.D., Executive Director, Kansas Council on Developmental Disabilities
Gina Ervay, Chair fo the Kansas Respite Coalition
Jessica Smith
Austin Hansen
Beth Baldrige
Duane Smith
Mary Warren

Others attending:

See attached list.

Copies of the Kansas Legislative Research Department Budget Analysis Report for FY 2008 and FY 2009 were available to the committee.

Subcommittee reports on:

Kansas Department on Aging (Attachment 1)

Subcommittee Chairwoman Jean Schodorf reported that the subcommittee on the Kansas Department on Aging concurs with the Governor's recommendation in FY 2008 and concurs with the Governor's FY 2009 recommendation with adjustments. Additional information was provided by Staff titled, Kansas Department on Aging, FY 2009 Enhancements (Attachment 2).

Senator Taddiken moved, with a second by Senator Wysong, to amend the subcommittee report on the Kansas Department on Aging, in FY 2009, regarding Item No. 7, to draft a letter to the federal government regarding the Committee's concern related to targeted case management reimbursement, including the elimination of reimbursement for windshield time and request introduction of a resolution expressing the same concerns. Motion carried on a voice vote.

Senator Emler moved, with a second by Senator Teichman, to amend the subcommittee report on the Kansas Department on Aging, in FY 2009, regarding Item No. 2, to add \$174,000 from special revenue funds for eleven replacement vehicles and four additional vehicles. Motion carried on a voice vote.

Senator V. Schmidt moved, with a second by Senator Betts, to amend the subcommittee report on the Kansas Department on Aging, in FY 2009, regarding Item No. 4, to add \$2,495,000, including \$1.0 million from the State General Fund, to expand Home and Community Based Services for the Frail Elderly (HCBS/FE) waiver

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 10:30 A.M. on March 7, 2008, in Room 123-S of the Capitol.

regarding attendant care services. Motion carried on a voice vote.

Senator V. Schmidt moved, with a second by Senator Emler, to amend the subcommittee report on the Kansas Department on Aging in FY 2009, regarding Item No. 9, to get the protected income level (PIL) numbers from the affected agencies to increase the PIL to that level and consider at Omnibus. Motion carried on a voice vote.

Senator Schodorf moved, with a second by Senator Betts, to adopt the subcommittee budget report on the Kansas Department on Aging in FY 2008 and FY 2009 as amended. Motion carried on a voice vote.

Kansas Department of Revenue (Attachment 3)

Subcommittee Chairwoman Jean Schodorf reported that the subcommittee on the Kansas Department of Revenue concurs with the Governor's recommendation in FY 2008 with notations and concurs with the Governor's FY 2009 recommendation with adjustments and notations.

Senator Schodorf moved, with a second by Senator Kelly, to amend the subcommittee report on the Kansas Department of Revenue to add language regarding thanking the agency for the services provided to East and Southeast Kansas concerning the flooding. Motion carried on a voice vote.

Senator Schodorf moved, with a second by Senator Kelly, to amend the subcommittee report on the Kansas Department of Revenue to consider Item No. 5, FY 2009, regarding Implementation of 2007 SB 9-Real I.D. at Omnibus. Motion carried on a voice vote.

Senator Schodorf moved, with a second by Senator Kelly, to amend the subcommittee report on the Kansas Department of Revenue and review the Fee Fund balances at Omnibus. Motion carried on a voice vote.

Senator Emler moved, with a second by Senator Wysong, to amend the subcommittee report on the Kansas Department of Revenue regarding Item No. 4, in FY 2009, and add the vehicles out of special revenue funds and consider the remainder at Omnibus. Motion carried on a voice vote.

Senator Schodorf moved, with a second by Senator V. Schmidt, to adopt the subcommittee budget report on the Kansas Department of Revenue in FY 2008 and FY 2009 as amended. Motion carried on a voice vote.

Chairman Umbarger welcomed Jane Rhys and Gina Ervay who presented a briefing and background on Lifespan Respite Care:

Jane Rhys, Ph.D., Executive Director, Kansas Council on Developmental Disabilities, mentioned that they support **SB 657** because they see the need for families to have access to a few hours a week of respite care (Attachment 4). Ms. Rhys explained that last Fall she had a former Nebraska State Senator contact her about a lifespan respite care bill that was introduced and passed in Nebraska.

Gina Ervay, Chair of the Kansas Lifespan Respite Coalition, mentioned that they support **SB 657** to fund a statewide respite study as a first step toward the development of a coordinated lifespan respite program for caregivers (Attachment 5). Ms. Ervay addressed the impact on caregivers across Kansas, respite benefits families and is cost saving, the need for respite care and described how the lifespan respite care program would help.

Chairman Umbarger opened the public hearing on:

SB 657--Creating the Lifespan Respite Care Program

Staff briefed the committee on the bill.

The Chairman welcomed the following conferees:

CONTINUATION SHEET

MINUTES OF THE Senate Ways and Means Committee at 10:30 A.M. on March 7, 2008, in Room 123-S of the Capitol.

Jessica Smith, caregiver from El Dorado, Kansas, testified as a proponent on **SB 657** ([Attachment 6](#)). She explained her life experiences in being young parents and having a disabled child.

Austin Hansen, testified in support of **SB 657** and on behalf of the many disabled Kansas that do not have a voice ([Attachment 7](#)). Mr. Hansen explained that he has Cerebral Palsy and has been totally dependent twenty-four hours a day Attendant Care for thirty-four years. Mr. Hansen noted that he was asking for help to improve lives because you never know when it may be part of your life.

Beth Baldrige spoke in support of **SB 657** ([Attachment 8](#)). Ms. Baldrige spoke as a caregiver to her 55 year old sister-in-law who has lupus and is a two-time stroke survivor with limited speech and cognitive abilities. This would provide Ms. Baldrige, as a caregiver, some normalcy and freedom to nourish the other relationships left behind (grandchildren, husband, children) when life changed so suddenly and unexpectedly.

Duane Smith, Wichita, testified as a proponent of **SB 657** ([Attachment 9](#)). Mr. Smith has been caring for his wife with Alzheimer's for ten years and he noted that he is a 24/7 caregiver, but is able to put his full strength into the job because he gets respite care. Caregivers are able to keep their loved one at home longer, if they do have respite care and urged passage of the bill.

Mary Warren, Wichita, spoke in support of **SB 657** ([Attachment 10](#)). Ms. Warren described her caregiving experiences with adopting two sibling children with the youngest child having mental health needs. She urged passage of the bill so that someday they and other families will have the respite relief they need so they can keep their child at home where the child belongs.

Written testimony was submitted by:

Connie Zienkewica, Executive Director, Families Together, Inc. ([Attachment 11](#))
Judy Weigel, Executive Director, Independent Living Resource Center ([Attachment 12](#))
Rebecca Kimbell, National Multiple Sclerosis Society ([Attachment 13](#))
Chad VonAhnen, Dir., Sedgwick County Developmental Disability Organization ([Attachment 14](#))
Kelly Evans, Executive Director, Trinity In-Home Care ([Attachment 15](#))
Rachel Mendoza Banning, Wichita ([Attachment 16](#))
Matt Fletcher, Associate Director, InterHab ([Attachment 17](#))

Questions and discussion followed with concluding remarks by Gina Ervay.

The Chairman closed the public hearing on **SB 657**.

The meeting adjourned at 12:25 p.m. The next meeting was scheduled for March 10, 2008.