

**Testimony in Support of House Bill 2676
Relating to an Act concerning the developmental disabilities reform act;
Failure of community service provider to comply with requirements, standards or laws.**

**Presented to the House Committee on Federal and State Affairs
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Chairman Barker and members of the Committee:

I appreciate the opportunity to present testimony as a proponent on behalf of House Bill 2676, legislation which continues the effort that began in 2016 by the Kansas Department for Aging and Disability Services (KDADS) to create uniform enforcement among KDADS' licensed providers. In 2015-2016, KDADS began work with multiple stakeholder groups including Interhab to develop and run legislation that provided updated and clear authority for the licensure and regulation of certain entities by the Secretary of KDADS. In order to run the updated statutes, other statutes such as K.S.A. 39-1807 needed to be revoked so that they could be replaced. The purpose of HB 2676 is to finalize the remaining statutory change within the Developmental Disability Reform Act to bring it into alignment with the other statutes set forth in K.S.A. 39-2001 et. seq. This legislation will provide well-defined and uniform authority for the enforcement of standards required of the community service providers who deliver care and services to the most vulnerable Kansans.

Currently, KDADS licenses and regulates multiple provider types. Prior to 2016, out of the multiple facilities, hospitals, centers, and other service providers licensed, there were two main statutory sets that provided authority for licensure and enforcement, K.S.A. 75-3307b and the DDRA. The primary authority for licensing and regulating community service providers such as the CDDOs is the DDRA; however other providers that may work with the developmentally disabled were also licensed under K.S.A. 75-3307b. The two statutory sets were not consistent, uniform or the most efficient statutory standards for licensing or regulating any of the provider types. Thus, the process of bringing uniformity, consistency, and efficiency to the statutes is critical to the continued streamlining of licensing and regulating providers. This legislation identifies a similar structure for the enforcement process that is as consistent, uniform, and efficient as what is set forth in K.S.A. 39-2001 et. seq.

The changes outlined in HB 2676 will provide enhanced protection for individuals and communities through an improved and uniform enforcement process that includes intermediate steps. Community service providers, similar to the licensed providers under K.S.A. 39-2001 et. seq., will have an opportunity to address compliance concerns through avenues such as corrective action plans and civil money penalties. Individuals will also be able to trust that regardless of whether their provider is licensed under K.S.A. 39-2001 or the DDRA, the services that individual receives will be from a provider that is under similar regulatory and enforcement standards.

This clean-up legislation will help KDADS maintain a clear and uniform working relationship with the community, community service providers as well as ensure the safety and quality of care for the Kansans we serve. We appreciate the Committee's time and consideration. At this time, I welcome the opportunity to answer any questions you may have about this bill.