

Senate Bill No. 217 (am) Review

Committee on Health and Human Services

Norm Furse, Revisor's Office

1/22/2018

Summary: SB 217, as amended, relates to the department for aging and disability services, updates statutory references related to 2016 SB 449, replaces in one section (section 33, 79-201b) the term "mentally retarded and other handicapped persons" with "individuals with intellectual or other disabilities" as used in current law and makes other changes of a technical nature.

2016 SB 449 provided authorization to the Kansas department for aging and disability services (KDADS) to develop, establish and enforce standards for the care, treatment, health, safety and welfare of individuals residing in or receiving treatment or services by entities such as community mental health centers, psychiatric hospitals, home and community based service providers, residential care facilities and psychiatric residential treatment facilities.

75-3307b was one of the statutes which previously authorized the department regulatory authority over these entities and services. 75-3307b was replaced by sections in 2016 SB 449 which became 39-2001 through 39-2017.

In 2017 a number of statutes contained an internal reference to the now repealed and replaced statute 75-3307b. SB 217 contains these statutes and replaces the references to 75-3307b with 39-2001 et seq. or other appropriate section(s) in article 20 of chapter 39.

Amendments needed to SB217: Since SB 217 is a carryover bill from last year, all dated references in the title, amending clauses, repealer and internally in the sections need to be updated as appropriate. In addition, six sections in the bill were amended in the 2017 session. Four of those sections resolved the 75-3307b problem and should be removed from the bill (65-1626, 65-1669, 65-2895, 74-3292). Two sections were amended in 2017, but the amendments did not resolve the problem (40-3401 and 65-6805). These two sections need to be replaced in SB217 and reinserted and amended in their current form with the 75-3307b internal reference resolved.