



Kansas Hospital
ASSOCIATION

TO: House Judiciary Committee

FROM: Chad Austin
Senior Vice President

DATE: February 18, 2019

RE: House Bill 2219

On behalf of the members of the Kansas Hospital Association, we appreciate the opportunity to provide comments on House Bill 2219. The proposed legislation would require all boards subject to the Open Meetings Act to record all meetings (either by audio or video recording) and make the recordings available to the public within 24 hours.

At present, many Kansas hospitals convene trustee meetings on a monthly basis. The meetings are communicated to the community in a variety of ways, including via the local newspaper and the hospital Web site. Board minutes are documented and made available when requested. In addition, many meetings are already attended by local community members, officials and newspaper staff. However, it appears House Bill 2219 creates additional requirements that may cause more challenges for our members. Some of our members still have several questions and concerns related to the requirements outlined in House Bill 2219, such as:

- How are the recordings to be made available to the public? As of now, the legislation does not specify how the recordings are to be made available. Will the hospital need to post it online? Will they have to furnish a way for the public to listen and/or watch the recording at their facility if the public does not have a computer? Will the hospital need to provide a flash drive with the recording, and if so, can they charge for that flashdrive?
- How long does the recording have to be retained and made available to the public?
- What type of recording equipment will be needed? Is there a minimum quality standard that the audio/visual recording must meet?
- What happens if the hospital is unable to make available the recording within 24 hours? It seems as though the 24 hour requirement may be burdensome, especially if the meeting occurs near a holiday or weekend.
- Will meaningful debate and discussions be reduced if board members are worried that their comments are being recorded verbatim?

It should be noted that serving as a hospital trustee is already a very challenging and thankless position. And, while the legislative intent may be sincere, KHA encourages the committee to strongly consider any unintended consequences that may be associated with the passage of House Bill 2219.

Thank you for your consideration of our comments.