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Kathleen Selzler Lippert, Executive Director

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To: Senate Judiciary, Chair Senator Wilborn:  
From: Kathleen Selzler Lippert, JD, Executive Director  
Kansas State Board of Healing Arts (KSBHA)  
Date: March 19, 2019  
Subject: SB 214 Allowing certain exceptions to the Confidentiality of State Child Death Review Board Documents  
Position: Neutral (Verbal and Written)

The Kansas State Board of Healing Arts (KSBHA) appreciates the opportunity to provide testimony on SB 214. KSBHA licenses and regulates multiple health care professions. The mission of KSBHA is to safeguard the public and strengthen those who practice the healing arts.

The Child Death Review Board was established in approximately 1992 and facilitates investigations related to the unexpected death of a child. This promotes public protection by evaluating suspicious circumstances surrounding the death of a child and looking for opportunities to protect a vulnerable population.

SB 214 amends K.S.A. 22a-243 (j)(6) by authorizing the Child Death Review Board to disclose records to a licensing body if the information is “related to a disciplinary complaint against a person licensed by such licensing body”.

This would require the licensing body to have a pre-existing complaint and investigation related to a person licensed by the agency.

It would not authorize the Child Death Review Board to provide information to a licensing body if the investigation by the Child Death Review Board creates or identifies a new concern about the licensed provider.

If the Child Death Review Board investigation identifies a licensed provider as causing or contributing to the death of a child, it would be prohibited from alerting the licensing agency to the concern and providing documents supporting the concern that the licensed provider caused or contributed to the death of a child. If the Legislative policy is to look for opportunities to protect a vulnerable population as quickly and efficiently as possible, the amendment to K.S.A. 22a-243 (j)(6) should include the authority to initiate notification and release of documents to a licensing body that a licensed provider may have caused or contributed to the death of a child.

Respectfully,  
Kathleen Selzler Lippert, JD  
Executive Director, Kansas State Board of Healing Arts

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