



EQUALITY ♦ LAW ♦ JUSTICE

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**Neutral for SB 7**  
**Senate Judiciary Committee**  
**June 4, 2020**

**Chairman Wilborn and members of the Committee:**

My name is Mike Burgess. I am the Director of Policy & Outreach at the Disability Rights Center of Kansas (DRC). DRC is a public interest legal advocacy organization that is part of a national network of federally mandated organizations empowered to advocate for Kansans with disabilities. DRC is the officially designated protection and advocacy system in Kansas. DRC is a private, 501(c)(3) nonprofit corporation, organizationally independent of state government and whose sole interest is the protection of the legal rights of Kansans with disabilities.

I have followed the discussion on the COVID-19 liability issue. One perspective that has not fully been discussed so far is who would likely be negatively impacted by any of the proposed legislation.

Senior citizens and people with disabilities are far more likely to be negatively impacted by COVID-19 in general. They disproportionately require health care services and hospitalizations due to their medical conditions from the novel coronavirus. They are also more likely to be living in group settings and to be under the care of others.

We have concerns about any proposed legislation that would eliminate the ability of seniors and people with disabilities to ensure accountability and obtain justice through the normal legal system. It is even more concerning right now when families and loved ones in many cases have not even been able to visit their loved ones to ensure they are receiving quality care and that good practices have been followed.

This bill is definitely a compromise. While we are not excited about it as drafted, I am here as a neutral conferee.

I know there has been some discussion about possible amendments. We would oppose efforts to expand the liability protections in any way that would negatively impact seniors and Kansans with disabilities.

Thank you for the opportunity to speak on this bill. I would be happy to stand for questions at the appropriate time.