



Testimony to House Judiciary on House Bill 2126

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Chair Patton and members of the Committee, my name is Michelle Ponce. I am the Associate Director for the Association of Community Mental Health Centers of Kansas, Inc. The Association represents the 26 licensed Community Mental Health Centers (CMHCs) in Kansas that provide behavioral health services in all 105 counties, 24-hours a day, seven days a week. In Kansas, CMHCs are the local Mental Health Authorities coordinating the delivery of publicly funded community-based mental health services. As part of licensing regulations, CMHCs are required to provide services to all Kansans needing them, regardless of their ability to pay. This makes the community mental health system the “safety net” for Kansans with behavioral health needs.

We appreciate the opportunity to testify in support of HB 2126. We are supportive of the intent of the bill, to provide immunity for healthcare providers from any claims for damages or liability arising out of or relating to acts, omissions or decisions related to the Covid-19 public health emergency.

Over the past year, the Covid-19 pandemic has made it clear that CMHCs are essential service providers, and mental health treatment and services are a vital part of a community’s healthcare service array. During times of crisis, the need for services due to increased rates of anxiety, depression, and social isolation grows. Throughout the pandemic, CMHCs have actively engaged in planning and developing policies designed to keep staff and clients safe and have worked tirelessly to ensure access to care through innovative means to ensure the safety of patients and staff.

However, as written, HB 2126 does not extend immunity to CMHCs, as they are licensed by the Kansas Department of Aging and Disability Services (KDADS) under Chapter 39 of the Kansas Statutes Annotated. As essential healthcare providers, we strongly believe that the CMHCs should also be provided the same protections from liability that are outlined in HB 2126.

Thank you for the opportunity to appear before the Committee today, and we respectfully request consideration of an amendment at the appropriate time.