

HOUSE BILL No. 2327

By Representative Lee-Hahn

2-10

1 AN ACT concerning counties; relating to county homes for the aged and
2 county hospitals; restricting county board of commissioners, trustees or
3 employees from infringing upon residents' rights to receive and refuse
4 visitors in county homes for the aged and county hospitals; permitting
5 residents and patients to waive restrictions imposed to control
6 transmission of prevention of an infection disease; amending K.S.A.
7 19-2110 and K.S.A. 2020 Supp. 19-4610 and repealing the existing
8 sections.
9

10 *Be it enacted by the Legislature of the State of Kansas:*

11 Section 1. K.S.A. 19-2110 is hereby amended to read as follows: 19-
12 2110. (a) Every home for the aged established under this act and not leased
13 by the board of county commissioners as provided for under K.S.A. 19-
14 2112 or any amendments thereto, may be operated under the supervision
15 of the county board of commissioners or if the board of county
16 commissioners determines that it is in the best interests of the county such
17 board may appoint a board of trustees to operate the home or may
18 designate the board of trustees of the county hospital of the county as the
19 board of trustees for the operation of such home.

20 (b) Such home for the aged shall be for the benefit of all the
21 inhabitants of such county; ~~but~~.

22 (c) Every such inhabitant or person who is not a recipient of
23 assistance shall pay to the county board of commissioners or board of
24 trustees for the home a reasonable compensation, to be established by the
25 county board of commissioners, or board of trustees for the home for their
26 care, and the county board of commissioners or board of trustees of such
27 home may extend the privileges and use of such home to persons residing
28 outside of the county upon such terms and conditions as the board may,
29 from time to time, by its rules and regulations prescribe.

30 (d) The county board of commissioners or board of trustees of such
31 home is hereby authorized to promulgate and adopt rules and regulations
32 pertaining to the operation, management and control of homes for the
33 aged.

34 (e) The county board of commissioners or board of trustees of such
35 home shall appoint a responsible and qualified person who shall at all
36 times be in charge of the home, who shall be known as the administrator,

1 and such other employees as is deemed necessary for the proper and
2 adequate care of the residents in the home.

3 *(f) The county board of commissioners, board of trustees of such*
4 *home or any county employee shall not impose restrictions on the*
5 *residents' rights to receive or refuse visitors in their room or a private*
6 *room available to the resident or any other reasonable accommodation to*
7 *receive such visitors. Every resident of a home for the aged pursuant to*
8 *this section, or such resident's legal representative, shall have the right to*
9 *waive, in writing, any restrictions imposed to control transmission or*
10 *prevention of an infectious disease by the county, a city within such*
11 *county, administrator or employee of such county or any federal or state*
12 *agency at any time, including during a state or local declaration of*
13 *disaster emergency pursuant to K.S.A. 48-904 et seq., and amendments*
14 *thereto.*

15 Sec. 2. K.S.A. 2020 Supp. 19-4610 is hereby amended to read as
16 follows: 19-4610. (a) The board shall make and adopt such bylaws and
17 rules and regulations for the management and control of the hospital as it
18 deems necessary so long as the same are not inconsistent with this act, the
19 statutes of the state of Kansas, the resolutions of the county and, if the
20 hospital is located in a city, the ordinances of the city in which the hospital
21 is located.

22 *(b) The county board of commissioners, the board of trustees of such*
23 *hospital or any county employee shall not impose restrictions on the*
24 *patients' rights to receive or refuse visitors in their room or a private room*
25 *available to the patient or any other reasonable accommodation to receive*
26 *such visitors. Every patient of a hospital operated by the county pursuant*
27 *to this section, or such patient's legal representative, shall have the right*
28 *to waive, in writing, any restrictions imposed to control transmission or*
29 *prevention of an infectious disease by the county, a city within such*
30 *county, administrator or employee of such county or any federal or state*
31 *agency at any time, including a state or local declaration of disaster*
32 *emergency declared pursuant to K.S.A. 48-904, et seq., and amendments*
33 *thereto.*

34 *(c) The board shall have the exclusive control of the expenditures of*
35 *all hospital moneys, except hospital moneys acquired through the issuance*
36 *of revenue bonds, and all expenditures shall be subject to the approval of a*
37 *majority of all the members of the board.*

38 *(d) The board is authorized to invest in any mutual insurance*
39 *company organized by an association of health care providers to which the*
40 *hospital belongs, enter into contracts with such company, pay any*
41 *assessments pursuant to such contracts and arrange for the issuance of a*
42 *letter of credit by any bank chartered by this state or which is a member*
43 *bank of the federal reserve system.*

1 (e) The board is charged with the supervision, care and custody of all
2 hospital property.

3 (f) The board is authorized to enter into employment contracts to
4 engage the services of an administrator or chief executive officer to
5 manage the affairs of the hospital, to establish compensation for such
6 services and to establish the terms of the engagement.

7 (g) The board may also require personal or surety bonds of all
8 hospital employees entrusted with the handling of hospital moneys, such
9 bonds to be in an amount to be determined and approved by the board.

10 ~~(b)~~(h) The board may establish and fund pension and deferred
11 compensation plans and any other employee benefit plans for hospital
12 employees and may procure contracts insuring hospital employees, their
13 dependents, or any class or classes thereof, under a policy or policies
14 covering one or more risks including, but not limited to, a policy or
15 policies of life, disability income, health, accident, accidental death and
16 dismemberment, and hospital, surgical and medical expense insurance or
17 may provide for a plan of self-insurance for such purposes. The
18 employee's contribution, if any, to the plan and to the premiums for
19 insurance or for the expenses incurred by the board under a plan of self-
20 insurance may be deducted by the employer from the employee's salary
21 when authorized in writing by the employee.

22 Sec. 3. K.S.A. 19-2110 and K.S.A. 2020 Supp. 19-4610 are hereby
23 repealed.

24 Sec. 4. This act shall take effect and be in force from and after its
25 publication in the statute book.