
Testimony in Support of HB 2246
House Judiciary Committee
February 9, 2023



**North Central-Flint Hills
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Chairman Patton and members of the Committee,

Thank you for the opportunity to provide testimony in support of HB 2246 (Charlie's Bill). My name is Linda Morse and I am Chair of the Board of Directors of the North Central-Flint Hills Area Agency on Aging. Our non-profit organization serves more than 60,000 older Kansans and people living with disabilities in an 18-county region.

Under the Older Americans Act, our Agency is charged to advocate and promote policies and legislation that help older adults live with independence and dignity in their homes and communities and support the well-being of caregivers. Our Agency publishes the *Keynotes* newspaper, provides Medicare benefits counseling and helps individuals navigate Medicaid and options under the Affordable Care Act. We also coordinate a complex delivery system of community-based services and serve hundreds of older adults and caregivers in our region. Our Agency provides Options Counseling for people seeking alternatives to nursing facilities, Client Assessment Referral and Evaluation assessments required before Kansans can enter a nursing home, functional eligibility assessments for the Brain Injury, Frail Elder and Physically Disabled Medicaid waivers and PACE program assessments under the Aging and Disability Resource Center.

Our "whole person" approach with customers addresses social determinants of health. We provide timely supports and services to safeguard the welfare of Kansans we serve.

We support House Bill 2246. We believe it improves processes and eliminates difficulties for Kansans seeking access to care. The 1987 Nursing Home Reform Act as updated allows residents of nursing facilities to appeal an involuntary eviction. However, residents of Assisted Living Facilities (ALF), residential care facilities, and Homes Plus do not have recourse to appeal involuntary evictions. Currently, an eviction from an ALF is a final decision under Kansas Administrative Regulations [K.A.R. 26-39-102]

HB 2246 will correct this serious lack of protection for ALF residents to be upheld by licensing requirements set by the State of Kansas. It will provide a guarantee of due process for Assisted Living residents and their caregivers. HB 2246 provides adequate protections to safeguard vulnerable adults from a wrongful discharge or transfer.

We urge the Committee to provide protection to Kansas residents of assisted living facilities -- the same protections that nursing facility residents and renters leasing private homes or apartments already enjoy. Please pass Charlie's Bill-- HB 2246.

Thank you.

Linda Morse

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