



EQUALITY ♦ LAW ♦ JUSTICE

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Proponent for HB 2246
House Judiciary Committee
February 9, 2023

Chairman Patton 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 am here today to share our support for HB2246.

HB2246 would make some positive changes to protect due process rights of assisted living facility residents who have been involuntarily discharged from a Kansas assisted living facility.

At the recommendation of Rep. Concannon, the Kansas Judicial Council appointed an ad hoc advisory committee to study this issue. I very much appreciate the time and attention that went into the recommendations from the ad hoc committee.

There are a number of positive changes that have been brought forward in this bill to reflect those recommendations including a two-prong approach recommending both a 30-day appeal process as well as emergency appeal process that includes shortened timelines.

As others have said, HB 2246 reflects the Judicial Council's recommendations which provide a strong framework for an appeals process that balances the residents' rights to due process and the health and safety of the residents and facility staff.

Thank you for the opportunity to speak in support of HB2246 otherwise known as "Charlie's Bill." I would be happy to stand for questions at the appropriate time.