

SB 491 – Standardizing criminal history record check fingerprinting language and defining who may be fingerprinted for a criminal history record check.

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Proponent Testimony

Madam Chair Warren and members of the committee, thank you for the opportunity to provide testimony in support of SB 491.

The Emergency Medical Services Board is the lead EMS agency in our state responsible for protecting the public through the effective oversight of all things EMS related in Kansas; this includes ambulance services, ambulances, EMS providers, and EMS educational entities. We are one of the agencies that requires a criminal history record check be performed for all new licensees.

The Board appreciates the hard work and effort of the Kansas Bureau of Investigation and the Revisor's office in drafting this bill and this very necessary language. We support this legislation and the reasons for its introduction, however, we ask for your consideration of an amendment to correct what we believe was a simple oversight in the process of reconciling the agencies into their proper bucket.

The Board currently receives all records of adult convictions, nonconvictions, or adjudications (evidenced by the stricken language on page 141, lines 13 and 14). SB 491 would unintentionally eliminate our ability to receive records of adjudications as New Section 2 subsection (b)(7) only allows for records of adult convictions and nonconvictions to be released to our agency.

Records of adjudication are very necessary to our licensing process as we have applicants that are under the age of 18. Furthermore, a license as an EMS provider grants the individual the ability to care for incapacitated and/or vulnerable individuals unable to protect themselves as well as minors without a parent or guardian present. The high degree of trust the public must have for EMS providers is garnered, in part, through our thorough review of the individual's criminal history record.

The Board requests your consideration of one of the following as an amendment to this bill:

- To be most consistent with current statutory language, move the Board, from New Section 2 subsection (b)(7), to New Section 2 subsection (b)(5). This would include adjudications (evidenced on page 4, lines 8 and 9).
- To be most appropriate, move the Board to New Section 2 subsection (b)(3). This would appropriately include records upon all adult and juvenile actions (evidenced on page 3, lines 23 through 25).

The Board of EMS appreciates your consideration of this request and would request your consideration of the amendment we feel is most appropriate in order to grant this high degree of trust. Alternatively, the amendment we consider most consistent would ensure we maintain the current review.

SB 491 is necessary legislation. We appreciate your consideration of our request to refine it further and we would appreciate your support of this bill.