

Chair Gossage and Members of the Committee,

Thank you for the opportunity to provide written testimony in opposition to Senate Bill 391, a bill which seeks to revoke public health authority. JCDHE's mission is to promote and protect the health and environment for all who live, work and play in Johnson County.

We are very concerned with this bill and view it as bad policy. Notable highlights:

- Section 2 removes the ability for the secretary of the Kansas Department of Health and Environment (KDHE) from adopting rules and regulations relating to disease control. It also changes the requirement for the secretary of KDHE from taking action against disease introduction to merely recommending. While recommendations are an important public health strategy, in some circumstances they must be backed up by policy. We have seen people readily refuse to listen to experts and succumb to misinformation.
- Section 4 removes social workers, teachers and school administrators from being mandated reporters of infectious disease cases. Local health departments and schools have built strong partnerships around protecting and promoting the public's health. Preventing social workers and school officials from reporting infectious disease cases to public health would place all the responsibility for investigating and managing disease outbreaks back on school staff, which is not feasible and puts the health of the community at risk by slowing response activities.
- Section 5 removes local board of health and local health officer authority for isolation and quarantine and to prohibit public gatherings. These authorities are important for day-to-day control of infectious diseases in childcare facilities and schools. This portion is an affront to local control and effective response.
- Section 6 removes the authority of the KDHE secretary to designate infectious or contagious diseases and instead requires the KDHE secretary to merely give a report to the Kansas speaker of the house and president of the senate (rather than handling via rules and regulations, removed in Section 2). However, the bill says nothing as to what actions should be taken. The speaker and president are not experts in disease control or spread, and this turns an expert-led process into a political one. It will only compromise the ability to respond to emerging diseases and put lives at risk.
- Section 7 further strips the local health officer of any disease control capabilities, reducing them to a mere spokesperson who issues recommendations.
- Section 8 removes the ability for employers to require certain vaccines, even if they work with populations that may expect that level of protection or require it for their health and safety.
- Section 9 further erodes local health officer options for disease control, including reducing the requirement to use all known measures to prevent disease spread to an undefined "medically necessary and reasonable" standard.

Public health must have the ability to issue orders to control disease spread and designate what diseases meet the infectious and contagious threshold (and assess what the science says can control those diseases and adopt rules and regulations accordingly). Without these tools, it will be next to impossible to control both known, severely damaging diseases and future diseases we have not yet seen and will have no other protections against.

JCDHE asks that the committee not recommend SB 391 favorably for passage.

Sincerely,

Charlie Hunt, Director
Johnson County Department of Health & Environment

