

As Amended by Senate Committee

{As Amended by House Committee of the Whole}

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Session of 2024

HOUSE BILL No. 2777

By Committee on Health and Human Services

Requested by Representative Bergquist on behalf of Representative Landwehr

2-8

1 AN ACT concerning health and healthcare; relating to ~~patient~~ **{licensed}**
2 care facilities; prohibiting the state fire marshal and the marshal's
3 representatives from wearing or operating a body camera during an on-
4 site inspection at a ~~patient~~ **{licensed}** care facility *creating an*
5 *exception thereto for certain photographic evidentiary images.*
6

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

8 Section 1. (a) **(1)** The state fire marshal and any of the marshal's
9 representatives shall not wear or operate a body camera or other audio or
10 video recording device during an on-site inspection of a ~~patient~~ **{licensed}**
11 care facility **or community-based locations where individuals with**
12 **intellectual and developmental disabilities receive individually**
13 **planned habilitation services as provided in K.S.A. 39-1804, and**
14 **amendments thereto.**

15 **(2) Nothing in paragraph (1) shall be construed to prohibit the state**
16 **fire marshal from collecting evidentiary photographic images of any**
17 **violations discovered by the state fire marshal or the state fire marshal's**
18 **designee during an inspection or investigation.**

19 (b) As used in this section:

20 (1) "Body camera" means the same as defined in K.S.A. 45-254, and
21 amendments thereto; and

22 (2) "~~patient~~**{licensed}** care facility" includes ~~any a~~ **{child care**
23 **facility as defined in K.S.A. 65-503, and amendments thereto, }a**
24 **qualified residential treatment program as defined in K.S.A. 38-2202,**
25 **and amendments thereto, a psychiatric residential treatment facility as**
26 **defined in K.S.A. 39-2002, and amendments thereto, secure facilities**
27 **as defined in K.S.A. 38-2202, and amendments thereto, shelter**
28 **facilities as defined in K.S.A. 38-2202, and amendments thereto, youth**
29 **residential facilities as defined in K.S.A. 38-2202, and amendments**
30 **thereto, an adult care home as defined in K.S.A. 39-923, and amendments**
31 **thereto, and ~~any a~~ medical care facility as defined in K.S.A. 65-425, and**

1 amendments thereto, except that "~~patient~~**{licensed}** care facility" includes
2 a hospice that is certified to participate in the medicare program under 42
3 C.F.R. § 418.1 et seq.

4 Sec. 2. This act shall take effect and be in force from and after its
5 publication in the statute book.