

MINUTES

SPECIAL COMMITTEE ON APPROPRIATIONS/WAYS AND MEANS

November 19, 2003
Room 519-S—Statehouse

Members Present

Senator Stephen Morris, Chairperson
Representative Melvin Neufeld, Vice-Chairperson
Senator Bill Bunten
Senator Christine Downey
Representative Jerry Henry
Representative Andrew Howell
Representative Steve Huebert
Representative Jo Ann Pottorff
Representative Sharon Schwartz
Representative Joe Shriver

Members Absent

Senator Dave Jackson
Senator Jean Schodorf
Representative Thomas Klein

Staff Present

J. G. Scott, Kansas Legislative Research Department
Leah Robinson, Kansas Legislative Research Department
Audrey Dunkel, Kansas Legislative Research Department
Amy VanHouse, Kansas Legislative Research Department
Jim Wilson, Revisor of Statutes Office
Michael Corrigan, Revisor of Statutes Office
Judy Bromich, Administrative Analyst, Senate Committee on Ways and Means
Mary Shaw, Committee Secretary

Conferees

Jo Ann Howley, Consumer and Family Member, Topeka, Kansas
David K. Winslow, Consumer, Hays, Kansas
Lorin Trowbridge, Consumer, Stockton, Kansas
Corliss Muse, Consumer, Manhattan, Kansas
Robin Bolson, Consumer, Hutchinson, Kansas
Jane Rhys, Executive Director, Kansas Developmental Disabilities Council
Lisa Dickerson, Family Member, Wichita, Kansas
Tracy Heit, Family Member, Derby, Kansas
Sherry Luthe, Family Support Worker, Mental Health Association of South Central Kansas
David Owen, Homeless Come Home, Topeka, Kansas
Bill and Marilyn McGuire, Kansas Neurological Institute (KNI) Parents Group
Wade H. Bowie, Jr., Member, Kansas Neurological Institute (KNI) Parents Group

Sharon Bird, Parent of Former Winfield State Hospital Resident and President, Board of Directors, Creative Community Living
Judy Welch, Parent, Winfield, Kansas
Shirley Erwin, Developmental Disability Technician, Parsons State Hospital
Cindy Trotnic, Licensed Practical Nurse, Parsons State Hospital
Mark Ready, Registered Nurse, Osawatomie State Hospital
Dolores Day, Registered Nurse, Osawatomie State Hospital
Suzanne Ellis, Ph.D, Family Member, Overland Park, Kansas
Marc Gardner, Consumer, Topeka, Kansas
Elizabeth F. Smith, Family Member, Lawrence, Kansas
Roy W. Menninger, MD, Chairman, Kansas Mental Health Coalition
Diane Hull, Consumer, Independence, Kansas
Mary Bradly, Consumer, Elk County, Kansas

November 19 Morning Session

Senator Stephen Morris, Chairman, opened the meeting at 10:10 a.m. and welcomed everyone to the meeting.

Representative Shriver moved, with a second by Representative Neufeld, to approve the minutes of the September 22-23, 2003 meeting as presented. Motion carried.

Chairman Morris welcomed Debra Duncan, Director of the Animal Facility Inspection Program, Animal Health Department, who presented a video of a “good” kennel in the state, as was requested by the committee.

The following conferees testified before the committee regarding hospital closure:

Jo Ann Howley, mental health consumer and family member, Topeka, Kansas, testified before the committee in opposition to consolidating or closing any of the three state mental health hospitals (Attachment 1). Ms. Howley asked the committee to consider appropriating more money for the hospitals to enable them to operate at an optimum level—providing adequate staff, medications, and state-of-the-art care in order to give patients time to heal and be released back into their respective communities with resources in place to enhance and encourage this process.

David K. Winslow, mental health consumer, Hays, Kansas, testified before the committee concerning his multiple hospitalizations far from where he lived and how difficult that had been for him (Attachment 2). Mr. Winslow mentioned that if there had been a local psychiatric hospital, he could have had additional support from family, friends, and professionals he knew so that he could receive the help he needed close to home. Based on his experience with both local and more distant hospitals, Mr. Winslow explained that he felt treatment was far more effective when hospitalization was received as close to home as possible.

Lorin Trowbridge, mental health consumer, Stockton, Kansas, testified before the committee regarding the need for mental health inpatient units in isolated areas of Kansas (Attachment 3). Mr. Trowbridge explained that when he has been in need of inpatient admissions, his only choices have been Larned State Hospital, approximately two hours away or Hutchinson or Garden City, both approximately four hours away. He noted that the distance is difficult for family and friends to come visit and support him. Mr. Trowbridge mentioned that since the closing of the Hadley Hospital

psychiatric unit in Hays, Kansas, hospitalization is a real problem for consumers due to being separated by great distances from anything familiar to them.

Corliss Muse, mental health consumer, Manhattan, Kansas, testified before the committee about her experience in mental health services and mentioned that she felt that Kansas has an excellent mental health system. (No written testimony was submitted.)

Robin Bolson, mental health consumer, Hutchinson, Kansas, testified before the committee regarding her experience in mental health services. Ms. Bolson mentioned that Horizon and Larned State Hospitals are good hospitals and after her release from the hospital, her case worker and therapist were very good in working with her. (No written testimony was submitted.)

Jane Rhys, Executive Director, Kansas Council on Developmental Disabilities, testified before the committee on behalf of the Kansas Council to support closure of the two remaining Developmental Disabilities State Hospitals, Kansas Neurological Institute (KNI) and Parsons State Hospital and Training Center (PSH&TC) (Attachment 4). Dr. Rhys explained that at least 60 percent of the membership of the Kansas Council on Developmental Disabilities is composed of individuals who are persons with developmental disabilities or their immediate relatives. She mentioned that their mission is to advocate for individuals with developmental disabilities to receive adequate supports to make choices about where they live, work, and learn.

Dr. Rhys presented information regarding Ms. Sue Swenson, who has a son with developmental disabilities (Attachment 5). She distributed copies of the final report of the hospital closure project, "Are People Better Off? Outcomes of the Closure of Winfield State Hospital" (Attachment 6). Committee questions and discussion followed.

Lisa Dickerson, family member of a mental health consumer, Wichita, Kansas, testified and recommended giving serious consideration to the recommendations that come from the Project Steering Committee, which is composed of a wide variety of stakeholders including consumers and family members (Attachment 7). Ms. Dickerson mentioned that she felt that since she was a single parent on a limited income, she would have liked to have been more involved in the process of stabilization of her son in the state hospital. Due to the distance and expense, she was not able to be involved as much as she would have liked.

Tracy Heit, family member of a mental health consumer, Derby, Kansas, also recommended giving serious consideration to the recommendations that come from the Project Steering Committee (Attachment 8). Ms. Heit mentioned that she felt that since she was a single parent on a limited income, she would have liked to have been more involved in the process of stabilization of her son in the state hospital. Due to the distance and expense, she was not able to be involved as much as she would have liked.

Sherry Luthe, mental health consumer, Wichita, Kansas, testified regarding home and community services making a big difference in their lives. Ms. Luthe felt that both hospital and home and community-based services are needed. In closing, Ms. Luthe explained that her child has been successfully stabilized with short stays in the hospitals for medication stabilization and that community-based services have helped him remain stable. (No written testimony was submitted.)

Chairman Morris recognized David Owen, Homeless Come Home, Topeka, Kansas, who requested that consideration be given to involve the families of consumers in placement decisions when hospitals are closed to improve the community supports to better help the client. (No written testimony was submitted.)

J. G. Scott, Chief Fiscal Analyst, Kansas Legislative Research Department, presented an overview of the State General Fund Receipts for FY 2004 (Revised) and FY 2005 (Attachment 9).

Mr. Scott also distributed copies of a memorandum, the Initial State General Fund Memo for FY 2004 (Revised) and FY 2005 ([Attachment 10](#)).

Afternoon Session

The following conferees testified before the committee regarding Hospital Closure (continued from the morning session):

Bill and Marilyn McGuire, Kansas Neurological Institute (KNI) Parents Group, testified before the committee in support of keeping the Kansas Neurological Institute open. Mr. McGuire, President of the Kansas Neurological Institute Parent and Guardian Group, explained that there are medically fragile people who live at KNI who cannot function without the services provided there. He mentioned that he felt the state should take into consideration what the *Olmstead* decision really says concerning choice ([Attachment 11](#)). Mrs. McGuire, mother of a resident at KNI and a representative of the parents, asked to continue funding for KNI, the home for the helpless people who live at KNI ([Attachment 12](#)). As a mother, Mrs. McGuire explained that there are medically fragile and profoundly retarded persons living at KNI and many cannot adjust to new surroundings.

Mr. McGuire distributed copies of an executive summary, "Institutional and Community-Based Systems For People With Mental Retardation: A Review Of The Cost Comparison Literature" ([Attachment 13](#)) and a copy of "Voice Of the Retarded" ([Attachment 14](#)).

Wade H. Bowie, Jr., Member, Kansas Neurological Institute (KNI) Parents Group, testified because he is interested and concerned with protecting those who are least able to provide for themselves and rely on others to make decisions and choices in regard to their continued care ([Attachment 15](#)). Mr. Bowie suggested that the Legislature establish a study group to study the issues and evidence to advise the Legislature of the facts. He listed some issues a study group might investigate in his written testimony.

Sharon Bird introduced Judy Welch, Winfield, Kansas, who testified as a stepparent and guardian of a profoundly handicapped and medically fragile man who lived at the Winfield State Hospital when it was closed by the Kansas Legislature ([Attachment 16](#)). Ms. Welch explained that she has many memories of the years before and during the closure, and many of them were not pleasant. She noted that the primary concern of parents and guardians and even the employees were that the focus should not have been on money, but on how many lives might be lost if hospital residents were forced from their home into community agencies that could not provide the care they needed to survive. Ms. Welch described Creative Community Living which she described as a unique solution to the closure and one that is fast becoming a model for others who face closures.

Sharon Bird, parent of a former Winfield State Hospital resident and President, Board of Directors, Creative Community Living, testified regarding some things to consider about closure of another hospital ([Attachment 17](#)). Ms. Bird listed these considerations in her written testimony. Chairman Morris mentioned that he felt that before any closure consideration, legislators need to visit some institutions.

Shirley Erwin, Developmental Disability Technician, Parsons State Hospital and Training Center, testified regarding residents of the hospitals who need constant supervision and care and cannot yet function safely in the community ([Attachment 18](#)). She noted that they need a structured supportive environment. Ms. Erwin mentioned that the services provided by Kansas Neurological Institute, Rainbow Mental Health Facility, Osawatomie State Hospital, and Parsons State Hospital

and Training Center are all extremely important for those individuals with various types of developmental and psychiatric disorders. In closing remarks, Ms. Erwin noted that closing any one of these facilities would not only do a great disservice to those who need the services the most, but also it would have a negative impact on the employees and the communities.

Cindy Trotnic, Licensed Practical Nurse, Parsons State Hospital and Training Center, testified regarding considerations of hospital closure ([Attachment 19](#)). Ms. Trotnic mentioned that most of the clients at Parsons State Hospital and Training Center depend on its structured environment for security and safety. She explained that closure of Parsons State Hospital and Training Center or a consolidation causing relocation would be devastating and debilitating to clients, many of which have lived most of their lives at Parsons State Hospital.

Mark Ready, Registered Nurse, Osawatomie State Hospital, testified regarding consideration of hospital closure ([Attachment 20](#)). Mr. Ready mentioned that recent studies suggest that there are now more mentally ill people in jails and prisons nationwide than there are in mental hospitals. He noted that the people with mental illness in prisons are not being treated. Mr. Ready urged serious consideration before any hospital is closed. The way people are treated in the state hospitals has changed over the years.

Dolores Day, Registered Nurse, Osawatomie State Hospital, testified and noted that mental illness is a devastating life-altering thing. The patients that come to them are those that often have no resources in the community to help them. (No written testimony was submitted.)

Suzanne Ellis, Ph.D, family member (parent) of a mental health consumer, Overland Park, testified regarding consideration of hospital closure and experiences her family had with the mental health system as noted in her written testimony ([Attachment 21](#)). Ms. Ellis asked the committee not to give up on this population. In her written testimony, she asked that they be allowed to take advantage of the new medications, new diagnostic methods, and psychosocial interventions while hospitalized until treatment is completed.

Marc Gardner, mental health consumer, Topeka, testified regarding his experiences at two Kansas state psychiatric hospitals and the specialized care he received ([Attachment 22](#)). Mr. Gardner noted that stabilization is a very important part of a patient's stay in a hospital that he felt cannot be provided by community mental health clinics. Mr. Gardner supported the state hospitals remaining open because they are essential for long-term care.

Elizabeth F. Smith, family member of a mental health consumer, Lawrence, testified on the importance of state psychiatric hospitals ([Attachment 23](#)). Ms. Smith explained about her family, her family member's life history, and lessons she has learned about mental health care services. Details of these lessons provided by Ms. Smith are in her written testimony:

- The need for services is (potentially) lifelong.
- Every piece of the system is essential.
- Access to services needs to be increased, not decreased.

Roy W. Menninger, Chairman, Kansas Mental Health Coalition, testified on the future of the state psychiatric hospitals ([Attachment 24](#)). Dr. Menninger explained and detailed the following points that the Kansas Mental Health Coalition wanted to make in his written testimony in regard to the state hospitals in Kansas:

- Focusing on closing hospitals or reducing psychiatric beds is the wrong place to start.

- In the view of the Kansas Mental Health Coalition, the bottom line is the state must not reduce or reorganize the psychiatric inpatient care system without a comprehensive review of the current system, and the development, with significant stakeholder input, of a consensus plan with provision for additional community services.
- Developing a plan requires at least two elements and comments (found in Dr. Menninger's written testimony):
 - obtaining and analyzing service utilization data on the present system.
 - establishing a vision of the kind of hospitals to develop and their role in the statewide system.

Dr. Menninger mentioned that a report will be available later this year on the Future of Kansas Mental Health Hospitals, presently under development by a special committee created by the Kansas Department of Social and Rehabilitation Services in response to recommendations from both the House and Senate at the end of the 2003 Legislative Session.

Committee questions and discussion followed. Representative Neufeld mentioned that in order to get a handle on what case management really is and how it is organized, he would appreciate the help and guidance of Dr. Menninger in that area.

Diane Hull, mental health consumer, Independence, testified in regard to hospital closure (Attachment 25). Ms. Hull described her life experiences with mental health services. She mentioned that she can now look forward to a full healthy life because of the support of local and state hospitals along with the Four County Mental Health Center. Ms. Hull read a poem that she wrote which is found in her written testimony.

Mary Bradly, mental health consumer, Elk County, testified in regard to her experience with mental health services (Attachment 26). Ms. Bradly explained that she has made an enormous amount of progress on her road to recovery because of the supportive staff at Osawatomie State Hospital and the Four County Mental Health Center. She is hoping to return to work part-time as a Certified Nursing Assistant.

Chairman Morris thanked all the conferees for their presentations before the committee. He mentioned that the last meeting is scheduled for Tuesday, December 16, 2003. The agenda for that meeting will include making committee recommendations and suggestions regarding hospital closure, the Animal Health Department and the Medicaid transportation system.

The meeting adjourned at 4:20 p.m.

Prepared by Mary Shaw
Edited by Leah Robinson

Approved by Committee on:

December 16, 2003

(date)