

{As Amended by Senate Committee of the Whole}

As Amended by Senate Committee

{As Amended by House Committee of the Whole}

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Session of 2021

HOUSE BILL No. 2114

By Committee on Children and Seniors

1-22

1 AN ACT concerning the legislature; establishing the Kansas senior care
2 task force; prescribing topics of study; membership; meeting
3 requirements; records; report.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. (a) There is hereby established the Kansas senior care task
7 force. The task force shall study the following topics:

8 (1) The provision of care for seniors in the state of Kansas who suffer
9 from Alzheimer's disease, dementia or other age-related mental health
10 conditions;

11 (2) the administration of antipsychotic medications to adult care
12 home residents;

13 (3) the safeguards to prevent abuse, neglect and exploitation of
14 seniors in the state of Kansas;

15 (4) adult care home surveys and fines;

16 (5) the funding and implementation of the Kansas senior care act,
17 K.S.A. 75-5926 through 75-5936, and amendments thereto; ~~and~~

18 (6) senior daycare resources in the state of Kansas; *and*

19 (7) ***rebalancing of home and community based services.***

20 (b) The Kansas senior care task force shall consist of the following
21 members:

22 (1) The chairperson of the senate standing committee on public health
23 and welfare;

24 (2) ~~the vice-chairperson~~ ***{a member}*** of the senate standing committee
25 on public health and welfare, ***appointed by the president of the senate***;

26 (3) the ranking minority member of the senate standing committee on
27 public health and welfare;

28 (4) the chairperson of the house of representatives standing
29 committee on children and seniors;

30 (5) ~~the vice-chairperson~~ ***{a member}*** of the house of representatives

1 standing committee on children and seniors}, ***appointed by the speaker of***
 2 ***the house of representatives***};

3 (6) the ranking minority member of the house of representatives
 4 standing committee on children and seniors;

5 (7) one representative of the Kansas department for aging and
 6 disability services, appointed by the secretary for aging and disability
 7 services;

8 (8) one representative of the department of health and environment,
 9 appointed by the secretary of health and environment;

10 (9) the state long-term care ombudsman or the state long-term care
 11 ombudsman's designee;

12 (10) an elder law attorney, appointed by the governor;

13 (11) one representative of the area agencies on aging, appointed by
 14 the secretary for aging and disability services;

15 (12) one representative of the Kansas adult care executives
 16 association, appointed by the governor;

17 (13) one representative of leadingage Kansas, appointed by
 18 leadingage Kansas;

19 (14) one representative of the Kansas health care association,
 20 appointed by the Kansas health care association;

21 (15) one representative of Kansas advocates for better care, appointed
 22 by Kansas advocates for better care;

23 (16) one representative of the Kansas hospital association, appointed
 24 by the Kansas hospital association;

25 (17) one representative of community mental health centers, as
 26 defined in K.S.A. 2020 Supp. 39-2002, amendments thereto, appointed by
 27 the ~~secretary for aging and disability services~~ ***{association of community***
 28 ***mental health centers of Kansas***};

29 (18) one representative of an adult care home, as defined in K.S.A.
 30 2020 Supp. 39-923, and amendments thereto, appointed by the secretary
 31 for aging and disability services;

32 (19) one representative of the American association of retired
 33 persons, appointed by the American association of retired persons; ~~and~~

34 (20) one representative from the home and community-based services
 35 community, appointed by ~~the secretary for aging and disability~~
 36 ~~services~~ ***interhab***};

37 **(21) one representative of the Alzheimer's association, appointed**
 38 **by the Alzheimer's association; and**

39 **(22) a consumer of Kansas senior services, appointed by the**
 40 **speaker of the silver haired legislature.**

41 (c) (1) The first members of the Kansas senior care task force shall be
 42 appointed on or before August 1, 2021. The appointing authorities listed in
 43 subsection (b) shall provide notice of such appointments to the secretary

1 for aging and disability services on the date of such appointment.

2 (2) The chairperson of the house of representatives standing
3 committee on children and seniors shall serve as the first chairperson of
4 the Kansas senior care task force, and the chairperson of the senate
5 standing committee on public health and welfare shall serve as the first
6 vice-chairperson of the task force. The position of chairperson and vice-
7 chairperson shall annually alternate upon the first meeting of the task force
8 in each calendar year.

9 (3) The chairperson of the task force shall serve as the official
10 custodian of the public records of the task force. As used in this paragraph,
11 "official custodian" and "public records" mean the same as provided in the
12 Kansas open records act, K.S.A. 45-215 et seq., and amendments thereto.

13 (4) The Kansas senior care task force may meet in an open meeting at
14 any time and at any place by any means within the state of Kansas upon
15 the call of the chairperson.

16 (5) A majority of the voting members of the Kansas senior care task
17 force constitutes a quorum. Any action by the task force shall be by motion
18 adopted by a majority of voting members present when there is a quorum.

19 (6) Any vacancy on the task force shall be filled by appointment and
20 accompanied by notice in the manner prescribed in this section for the
21 original appointment.

22 (d) The Kansas department for aging and disability services shall,
23 upon request by the Kansas senior care task force, provide data and
24 information relating to senior services in the state of Kansas that is not
25 otherwise prohibited or restricted from disclosure by state or federal law,
26 including conditions imposed by federal law or rules and regulations for
27 participation in federal programs administered by the secretary for aging
28 and disability services.

29 (e) The Kansas senior care task force shall submit a preliminary
30 progress report to the legislature detailing the task force's study under this
31 section on or before ~~January 13, 2022~~, **{the beginning of the 2022 regular**
32 **session of the legislature}** and a final report to the legislature detailing the
33 task force's study on or before ~~January 11, 2023~~ **{the beginning of the**
34 **2023 regular session of the legislature}**.

35 (f) The Kansas senior care task force's report shall include
36 recommended improvements regarding the well-being of seniors in the
37 state of Kansas, including recommended changes to state statutes, rules
38 and regulations, policies and programs.

39 (g) Staff of the office of revisor of statutes, the legislative research
40 department and the division of legislative administrative services shall
41 provide assistance as may be requested by the Kansas senior care task
42 force.

43 (h) Subject to approval by the legislative coordinating council,

1 members of the Kansas senior services task force attending meetings
2 authorized by the task force shall be paid amounts provided in K.S.A. 75–
3 3223(e), and amendments thereto, except that task force members who are
4 employed by a state agency shall be reimbursed by such state agency.

5 (i) The provisions of this section shall expire on June 30, 2023.

6 Sec. 2. This act shall take effect and be in force from and after its
7 publication in the Kansas register.