

February 3, 2021

Judiciary Committee

Representative Fred Patton, Chairman

Mr. Chairman and Members of the Committee:

All medical professionals must take the Hippocratic oath. In doing so they swear to “prevent disease whenever I can, for prevention is preferable to cure.” Most of the deaths we are seeing today in adult care facilities are from a lack of COVID-19 regulation by staff. Caretakers fail to “prevent disease whenever” they can when they are the ones to bring in this deadly disease into adult care facilities due to negligent practices.

If this bill becomes law, it will reward negligent practices because caretakers will know they know they will not be liable if deaths occur that are COVID-19 related. If caregivers are not currently following precautions to stop the spread of this disease, then why should they be free of responsibility when people die? Such preventable deaths have occurred in many long-term care facilities in Kansas already, and more people will die unnecessarily if this bill is adopted.

The Hippocratic oath states medical professionals shall do no harm. If Kansas allows adult care facilities full immunity from civil liability it is, in effect, overriding the Hippocratic oath. The proposed immunity would likely encourage negligence and promote saving money at the expense of human life.

I ask the Members of the Committee to vote no on HB 2126 to stop this morally bankrupt legislation that places protecting private profits over the health of our most vulnerable and defenseless citizens.

Thank you,

Rep. Aaron Coleman