

STATE OF KANSAS  
HOUSE OF REPRESENTATIVES



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TATUM LEE-HAHN  
117TH DISTRICT

**Chairman Hilderbrand and Senate Public Health and Welfare Committee Members:**

I'm writing you today in support of SB303. The COVID-19 debacle has been quite a journey for me and others whose families have been locked inside a nursing home facility without any recourse or remedy.

People are dying. Arguably the greatest generation is dying. And they aren't dying solely from COVID. Many are dying from ISOLATION.

The argument that CMS guidelines trump Kansans civil liberties is simply unamerican. Guidelines and regulations are not laws. Guidelines and regulations can be unconstitutional in their nature as is the case in this instance. The constitution doesn't go away in a pandemic. If anything, the constitution becomes more relevant when the threat of our liberties are being infringed on. When a federal agency dangles funding as a threat, it's time that we at the state legislature step in and exercise our 10<sup>th</sup> Amendment rights. We give the power to the federal government. Not the other way around. The only way that we have to stand against tyranny is to actually take our role as state legislators seriously. We are the defenders of our people. It's time to push back.

This is personal for me. I ran for the District 117<sup>th</sup> State Representative position because I could find no one to help me against the overreach of the local nursing home that my grandfather is being held prisoner in. 23% of his local property taxes are paying for the nursing home he resides in. Over \$6,000 is coming out of his estate on a monthly basis. He is literally paying for his own captivity and yet he has no recourse. No voice. And his life is dwindling away everyday. Imagine dying of this suffocation... History will show, this is one of the greatest atrocities to occur in this pandemic. I would venture to say, this will be considered a crime against humanity.

Even with the CMS guidelines recently becoming more lax, not all facilities are allowing face to face visitation to every resident, as is the case with our facility in Ness City. Although my grandpa has a private room, since my grandfather opted out of getting the vaccine, he's now being discriminated against and still being relegated to staying behind the plexi-glass box required for visitation in the family room. No face to face for him.

He struggles to hear. He struggles to see. He struggles with confusion as to why I won't hug him.

Boxes are for animals and criminals, not grandpas and grandmas.

During the height of this pandemic, traveling nurses were being allowed to come and go freely in a region that had spiked hot for COVID, and yet family members were not even subject to the same standards with proper PPE as those traveling nurses. We were shut out completely.

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COVID entered into the facilities through staff, not family. Yet family are the ones being penalized. There has to be a way to mitigate risk to allow patients and residents their rights. Instead, all anyone wants to talk about is “funding” and “fear of lawsuits.” And we have cowered to the threats. No due process at all.

Meanwhile, grandpa is still sitting in his chair, alone and actively at the end of his life. Waiting for someone, for anyone, to just do the right thing. Your grandpa deserves better than that, and mine does too.

To deny residents their civil rights, is a law suit waiting to happen. Should citizens have to sue their government to defend themselves? I didn't grow up believing in law suits. That's just not how he taught me to operate.

If we as elected officials say that we “Value Them Both” which we passed with a super majority out of this Statehouse a couple months ago, but then we don't stand for the lives of our elderly, is that not hypocritical? Either we value life on both ends of the spectrum, conception and death, or “Value them Both” was simply a political talking point.

**"I swore never to be silent whenever and wherever human beings endure suffering and humiliation. We must always take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented. Sometimes we must interfere. When human lives are endangered, when human dignity is in jeopardy, national borders and sensitivities become irrelevant. Wherever men or women are persecuted because of their race, religion, or political views, that place must—at that moment—become the center of the universe."** Holocaust survivor Elie Wiesel

Will you be on the right side of history? Now is the time for us to speak out for those being persecuted because of their age and their address.

Please not only vote this out of committee, but get in the fight. Help Senator Straub and I stand up for those Kansans in your district that have been denied their basic right to Life, Liberty and the Pursuit of Happiness. This is the oath you took....This is the oath we will all be held to.

Other states have already passed legislation for nursing home freedom of residents. Oklahoma passed it out of their house 2 weeks ago. It's in the Senate now. There is submitted testimony from the Representative who carried that bill, Marilyn Stark. I would encourage you to read it.

I am who I am, largely because of my grandparents. To not stand here today and fight for him, would be an insult. If you have grandchildren, I pray that someday you have instilled enough in them that when you lose your voice, they will do whatever it takes, to rescue you. I ran for office. And today, I'm the granddaughter that won't quit until this is done.

**Respectfully & In Liberty, Representative Tatum Lee-Hahn**