

MINUTES

KANSAS SENIOR CARE TASK FORCE

October 25, 2022
Room 112-N—Statehouse

Members Present

Representative Susan Concannon, Vice-chairperson
Senator Michael Fagg, appointed substitute member to the committee
Senator Cindy Holscher
Senator Kristen O'Shea
Representative Charlotte Esau
Representative Jarrod Ousley
Kendra Baldrige
Leanna Chaffee
Kiley Floyd
Jamie Gideon
Annette Graham
Lacey Hunter
Jan Kimbrell
Ernest Kutzley
Deborah Merrill
Haely Ordoyne
Rachael Pirner
Camille Russell
Sarah Schlitter
Debra Zehr

Members Absent

Senator Richard Hilderbrand, Chairperson
Linda MowBray
Bill Persinger

Staff Present

Iraida Orr, Kansas Legislative Research Department (KLRD)
Leighann Thone, KLRD
Dayton LaMunyon , KLRD
Carly Humes, Office of Revisor of Statutes
Jessie Pringle, Office of Revisor of Statutes
Deborah Bremer, Committee Assistant

Conferees

Hina Shah, Kansas Health Institute

**TUESDAY, OCTOBER 25
ALL DAY SESSION**

Discussion of Recommendations and Tier Levels

The Acting Chairperson, Vice-chairperson Concannon, called the meeting to order at 10:10 a.m.

Leighann Thone, Research Analyst, Kansas Legislative Research Department (KLRD), introduced the Working Groups Report (updated October 4, 2022, with changes in red) and opened the discussion on the recommendations. Ms. Thone verbally reviewed the changes that are highlighted in the draft document ([Attachment 1](#)).

The Acting Chairperson asked the group to focus on Recommendation 1.3 Education Training Credits; Recommendation 3.1 Workforce Clearinghouse; and Recommendation 7.5 Adult Daycare Volunteers and Recommendation 9.9 Identify Future Workforce, with 7.5 and 9.9 to be considered together. There was a brief discussion. Haely Ordoyne, Kansas Adult Care Executives, recommended that 7.5 be put under 9.9 and they be merged. There were no objections. Ms. Ordoyne suggested a new title for Recommendation 9.9, "Identify Future Workforce of Direct Care Workers and Volunteers," which was accepted without objection.

Rachael Pirner, Elder Law Attorney, recommended adding the Kansas Bar Association to Recommendation 3.3 as a key collaborator. There was no objection to this addition.

Annette Graham, Central Plains Area Agency on Aging (AAA), suggested language be changed in the third bullet point of Recommendation 6.3 to reflect that some individuals transition back to a home setting. Leanna Chaffee, Midland Care, offered a possible rewording: ". . . to assist caregivers and older adults who wish to live in their own homes and not live in adult care homes or long-term care environments." There was no objection to the revised language.

After a question was raised by Ms. Graham regarding funds mentioned in the rationale for Recommendation 8.1, Acting Chairperson Concannon suggested striking "those funds" and substituting "existing SCA (Senior Care Act) funds." There was no objection to this edit.

Ms. Graham asked a question regarding the second paragraph in the rationale for Recommendation 8.2, which notes the Medicaid lifetime cap on assistive services. Hina Shah, Senior Analyst and Portfolio Strategist, Kansas Health Institute, noted that language on Medicaid lifetime caps was added to capture the discussion when formulating the recommendation. Ms. Graham suggested the reference be removed to eliminate any confusion between Medicaid and the Senior Care Act. The Acting Chairperson suggested striking the entire second paragraph under rationale. There was no objection to this deletion.

Ms. Ordoyne noted Recommendation 2.1 lists "BSN" as a key collaborator; this is a reference to the State Board of Nursing and should be KSNB. There was no objection to this edit.

The Acting Chairperson asked the group to focus on the tier designations. Ms. Shah led a discussion about changing Recommendation 7.2, which the Task Force agreed to move to

Tier 1 during the August 2022 meetings. Recommendation 1.5 was added to the chart in Appendix C, as it had been omitted in an earlier draft. Ms. Shah directed the group to look at Appendix C where the recommendations are listed by topic. She explained how the recommendations were placed in each tier. Tier 1 signifies items for immediate action. There was no discussion and there were no objections to the present listings in Tier 1.

Tier 2 designations were reviewed by the Task Force. There was agreement that Recommendation 6.4 regarding affordable housing be moved to Tier 1; there was no objection. Several recommendations were made for additional changes to Recommendation 6.4:

- Camille Russell, Kansas Long-Term Care Ombudsman, agreed that lack of affordable housing can be a barrier to transitioning back to a home setting. She suggested the housing authorities be added as key collaborators;
- Ms. Graham suggested Habitat for Humanity and similar organizations be added as key collaborators, and it was agreed to refer to these organizations as “community housing partners”;
- Ernest Kutzley, AARP Kansas, requested that AARP be added to the listed key collaborators, as housing is a significant issue to their organization;
- Lacey Hunter, Kansas Department for Aging and Disability Services, noted real estate organizations could be helpful in planning and implementing Recommendation 6.4. The Task Force agreed to add the Kansas Real Estate Commission and Kansas Association of Realtors to the list of key collaborators;
- The Task Force agreed to add the Legislature as an action lead; and
- The Task Force agreed to amend the recommendation language from “encourage” to “recommend.”

After additional discussion, the Task Force also agreed to add a note to the report that would specify key collaborators are not limited to those included in each recommendation’s list. There were no objections to any of these changes.

Tier 3 designations were reviewed by Ms. Shah. No recommendations were moved or changed.

Ms. Shah restated the assumptions about time of implementation for each of the tiers. Tier 1 should be acted upon in the next year or two, Tier 2 in the next three to four years, and Tier 3 the next four to five years.

Ms. Ordoyne asked a question about Recommendation 9.7, regarding instructor pay and benefits. Instructors are key to providing training for the health care workers needed to address the workforce shortage, so Ms. Ordoyne suggested this recommendation might warrant being in Tier 1. Ms. Shah noted that Recommendation 9.7 was placed in Tier 2 because the Task Force agreed that raising reimbursement rates was needed first, and instructor pay and benefits would follow. Ms. Shah suggested that language could be added to the report noting that Recommendation 9.1 would need to be implemented before Recommendation 9.7. The Task Force agreed to add this language and move Recommendation 9.7 to Tier 1. There were no objections.

Recommendation 3.8, regarding funding for community mental health centers (CMHCs), was brought up by the Acting Chairperson, who asked whether the Legislature had already addressed the funding for CMHCs through its action on certified community behavioral health centers (CCBHCs). Jessie Pringle, Office of the Revisor of Statutes, confirmed the bill enacted

regarding CCBHCs is 2021 HB 2208. The Acting Chairperson asked that this recommendation be flagged for later discussion.

After a short break for lunch, the Committee reconvened at 12:20 p.m.

Acting Chairperson Concannon explained, after discussion during the break with Ms. Pringle and Ms. Chaffee and a review of the statutory language enacted in 2021 HB 2208, Recommendation 3.8 could remain as is. The Acting Chairperson noted the discussion in the mental health arena regarding CCBHCs had been focused on crisis management and youth, while Recommendation 3.8 was focused on the geriatric population and did not duplicate the language in 2021 HB 2208.

Final Consideration of Working Group Recommendations

Acting Chairperson Concannon explained the Task Force will need to approve the Working Groups Report, which will be included as an attachment to the Task Force's Report to the 2023 Legislature. She asked for any feedback or ideas prior to that approval.

Members discussed communication of resources to help persons stay in their own homes. Ms. Graham noted the Aging and Disability Resource Center, a toll free call center (1-855-200-2372) offered through the AAAs, provides statewide information and is staffed by professionals who know about aging and long-term care issues and resources available locally. Individuals can also choose to email, online chat, or leave a message for the call center staff. This resource is included in Recommendation 6.2. Jan Kimbrell, Silver Haired Legislature, suggested the addition of "improve" to the beginning of the bullet point on marketing the 1-800 number. The Task Force agreed to add the Legislature is an action lead requiring appropriations. At the request of Mr. Kutzley, AARP was added as a key collaborator. There were no objections to these additions.

The Acting Chairperson shared information on Recommendation 3.5, regarding appeals of involuntary removal from adult residential care facilities. There had been questions earlier about "Charlie's Bill," which would allow for appeal of involuntary eviction from an adult residential care facility. The Acting Chairperson stated the Judicial Council has been studying the issue and plans to publish a report before the 2023 Legislative Session. Because that report is not yet available, the Acting Chairperson proposed that Recommendation 3.5 be removed from the report. Representative Ousley agreed. Ms. Kimbrell suggested that this recommendation be put into Appendix D, which includes other recommendations proposed by the working groups but not currently considered high priority. Representative Esau agreed Recommendation 3.5 should be moved in the report to Appendix D. There was no objection.

Ms. Thone explained how the Working Groups Report needed to be acted upon. It could be voted to be accepted as a whole, or in part. Once approved, the Working Groups Report would become an attachment to the Kansas Senior Care Task Force Report to the 2023 Legislature.

Ms. Pirner moved, and Ms. Kimbrell seconded, to adopt the Working Groups Report to the Kansas Senior Care Task Force as revised. Motion carried.

There was a brief discussion about any other issues that might be added to the final Kansas Senior Care Task Force Report to the 2023 Legislature.

Ms. Graham moved, and Ms. Kimbrell seconded, to ask the Legislature to take action during the 2023 Legislative Session on Tier 1 action items as noted in the “Working Groups Report to the Senior Care Task Force” as revised. Motion carried.

There was a discussion about what happens with the Kansas Senior Care Task Force Report to the 2023 Legislature. Task Force members and staff discussed how the report is disseminated to lawmakers and committees and how to ensure progress continues to be made on the issues addressed in the report. It was noted that the report may not result in statutory change but it will influence legislation and statewide policy for senior care in many ways. Ms. Chaffee noted that if Recommendation 5.1 is implemented, the State Advisory Council could play a key role in this advocacy.

Ms. Hunter moved, and Senator O’Shea seconded, to approve the report of the Kansas Senior Care Task Force. Motion carried.

Ms. Hunter moved, and Ms. Ordoyne seconded, to approve the minutes of the August 24-25, 2022, meeting as written. Motion carried.

Acting Chairperson Concannon thanked the Task Force for all the work put into the Working Groups and the Task Force meetings. This will be the final meeting of the Kansas Senior Care Task Force. The meeting adjourned at 1:34 p.m.

Prepared by Deborah Bremer

Edited by Leighann Thone and Iraida Orr

Approved by the Committee on:

December 8, 2022

(Date)