



Testimony to House Committee on Child Welfare and Foster Care on House Bill 2407

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Madam Chair and members of the Committee, my name is Kyle Kessler. I am the Executive Director for the Association of Community Mental Health Centers of Kansas, Inc. The Association represents the 26 licensed Community Mental Health Centers (CMHCs) in Kansas that provide behavioral health services in all 105 counties, 24-hours a day, seven days a week. In Kansas, CMHCs are the local Mental Health Authorities coordinating the delivery of publicly funded community-based mental health services. As part of licensing regulations, CMHCs are required to provide services to all Kansans needing them, regardless of their ability to pay. This makes the community mental health system the “safety net” for Kansans with behavioral health needs.

We appreciate the opportunity to testify in support of HB 2407. The student data privacy law passed in 2014 as Senate Bill 367 contained provisions that have created a barrier for CMHCs, schools, and other organizations that provide critical prevention services for youth in their communities. Through the data the Kansas Communities That Care (KCTC) student survey provides, CMHCs as well as other organizations across the state, are able to target efforts to prevent young people from drinking alcohol and using other drugs.

HB 2407 is one of the recommendations from the 2020 and 2021 Mental Health Modernization and Reform Committees (MHMRC). Previous versions of this recommendation were originally developed by the Prevention Subcommittee of the Governor's Behavioral Health Services Planning Council and Governor Colyer's Substance Use Disorders Task Force. According to the MHMRC Report, “Due to the current protocol of opt-in consent, the amount of data collected via surveys like the KCTC is too limited to reliably inform policymaking. Collecting better data can inform which types of prevention activities are necessary to mitigate behavioral health issues, including suicide prevention and ongoing improvement of mental health programs in schools.”

The lack of reliable data also makes it difficult for state agencies to complete required activities for federal block grants. Relative to other recommendations, this would not require a high financial investment by the state to implement. To collect, analyze, use, and disseminate surveillance data to inform prevention programs provides us with the opportunity to not only improve the lives of our students but likely save lives as well.

The CMHCs in Kansas recognize the concerns about data and privacy, and we feel that

HB 2407 is a good solution. The KCTC survey is completely anonymous, voluntary, and the data is confidential. Requiring written consent to participate in the survey has reduced the response rate and, in turn, affected the accuracy of the data.

The KCTC student survey was developed based on national research that found that there are specific risk and protective factors in regard to youth and their substance abuse behaviors. Because of the KCTC survey, we are able to prioritize our efforts and address the most relevant issues facing our communities. In addition, the KCTC survey data assists CMHCs and other organizations in applying for federal, state, and local grants, including from the Office of National Drug Control Policy, Department of Justice, and Drug Free Communities.

We believe that prevention should be a key component of the behavioral health strategy for our state. As efforts to integrate prevention efforts across multiple areas such as substance abuse, mental health, suicide, and problem gambling continue to gain traction, this survey identifies multiple areas that cross over these issues. For example, over the last couple of years, deaths related to synthetic opioids, including fentanyl, have continued to rise. In 2021, they hit an all-time high after rising 23% over 2020. In Kansas, specifically, drugs were the underlying cause of death for 635 (416 of which were caused by opioids) Kansas residents in 2021, up from 432 in 2020.

We frequently hear stories about people accidentally overdosing, thinking they were taking one drug, when in fact it was fentanyl or another synthetic opioid. Many of these deaths are accidental and preventable. According to the National Institute on Drug Abuse, fentanyl is 50 to 100 times more powerful than morphine. Fentanyl and its numerous derivatives, or analogs, can be so powerful that a fatal dose may be invisible to the human eye. With greater participation in the KCTC, we would have more information on usage, which would help us target efforts to curb use and identify illegal distribution, or at least illustrate the availability of these life-threatening substances.

Any positive impact we can have in Kansas to prevent youth from abusing alcohol and drugs puts us considerably ahead in the prevention of a host of other issues that significantly impact our state, such as school graduation rates, employment rates, health issues, criminal justice involvement, mental health issues, and avoiding further strain on the alcohol and drug treatment system.

Thank you for the opportunity to appear before the Committee today, and I will stand for questions at the appropriate time.