

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

STATE CAPITOL
300 S.W. TENTH STREET
TOPEKA, KS 66612
(785) 296-7663
mitch.holmes@house.ks.gov



DISTRICT ADDRESS:
211 S.E. 20TH AVE.
ST. JOHN, KS 67576
(620) 234-5834

MITCH HOLMES

114TH DISTRICT

ALL OF PRATT & STAFFORD COUNTIES
PORTIONS OF EDWARDS, PAWNEE & RENÓ COUNTIES

Testimony on HB2313

1/25/2012

Proponent

During the summer of 2010, the Joint Committee on State Building Construction was touring several facilities in Western KS including the Fort Dodge Soldiers Home, Larned Juvenile Correction Facility, and Larned State Hospital. As we were driving around the treatment facility for the Sexual Predator Treatment Program (SPTP), some LSH staff commented on how much time they spend dealing with lawsuits from patients in the SPTP. It appears that some of the patients do not attend their treatment programs, but instead spend their time in the library studying how to file lawsuits, etc.

Because of these casual comments I heard during the tour, I visited with the leadership and counsel at LSH to see if there was anything I could do to help alleviate the constant stream of unwarranted lawsuits. Many of these appear to be designed to do nothing more than harass the administration at LSH. I also checked with the caseload at the Pawnee County Courthouse and was informed that roughly half of the cases there are created by lawsuits coming from patients in the SPTP.

LSH has an administrative procedure for dealing with complaints from patients, but this system is bypassed by those who would rather file a lawsuit. HB2313 will curtail the barrage of lawsuits dealing with issues that can effectively be handled by the established administrative procedure. Patients will still be able to file suit over constitutional matters or situations that are particularly egregious; but since the SPTP has already been found to be a constitutionally sound program by the U.S. Supreme Court, these kinds of suits should be few and far between.