



TO: Senate Judiciary Committee

FROM: Chad Austin
Senior Vice President, Government Relations

DATE: March 5, 2012

RE: House Bill 2568

The Kansas Hospital Association (KHA) appreciates the opportunity to comment on House Bill 2568, which modifies the Kansas Offender Registration Act.

KHA seeks to modify the definition of “treatment facility” in this legislation to exclude Kansas community hospitals. The original intent of the Kansas Offender Registration Act was to require communication between the treatment facility and law enforcement when an offender left the treatment facility. The Act’s focus was directed at facilities, such as state hospitals, which provide specific treatment to offenders typically through the issuance of a court order. The very broad original definition of “treatment facility,” however, includes the word “hospital” and would require each community hospital to verify whether a patient admitted to the hospital was an offender, regardless of the medical services provided, and report to law enforcement when that patient was discharged. This reporting provision is in conflict with federal law (42 C.F.R Part 2) which protects the privacy of individuals receiving alcohol or substance abuse treatment.

KHA supports the amendment adopted by the House Committee on Corrections and Juvenile Justice. This amendment modified the definition of “treatment facility” under section 1, subsection (p) to be the following.

(p) “Treatment facility” means any public or private facility, ~~hospital~~, or institution providing inpatient *mental health, drug or alcohol* treatment or counseling, **but does not include a hospital, as defined in K.S.A 65-425, and amendments thereto.**

Thank you for your consideration of our comments.