



1100 SV
 Topeka, Kansas 66604-1761
 (785) 267-0003 Phone
 (785) 267-0833 Fax
 khca.org
 khca@khca.org



Senate Judiciary Committee
 January 23, 2013

Proponent SB 17
 Proponent SB 19

Chairman King and Committee Members

My name is Cindy Luxem, Executive Director of the Kansas Health Care Association and Kansas Center for Assisted Living, a trade association with a membership of nursing homes, assisted living, residential health care, home plus, and nursing facilities for mental health. Thank you for the opportunity to testify.

We are in support of SB 17.

We also are in support of SB 19. The issue of financial exploitation is an unfortunate fact of being an older citizen. And sadly many in the nursing home and assisted living provider community see too many examples of their family members exploiting.

I would like to offer a suggestion for additional language.

*Missouri Revised Statutes Chapter 570
 Stealing and Related Offenses
 Section 570.145*

7. (1) It shall be unlawful in violation of this section for any person receiving or in the possession of funds of a Medicaid-eligible elderly or disabled person residing in a facility licensed under chapter 198 to fail to remit to the facility in which the Medicaid-eligible person resides all money owing the facility resident from any source, including, but not limited to, Social Security, railroad retirement, or payments from any other source disclosed as resident income contained in the records of the department of social services, family support division or its successor. The department of social services, family support division or its successor is authorized to release information from its records containing the resident's income or assets to any prosecuting or circuit attorney in the state of Missouri for purposes of investigating or prosecuting any suspected violation of this section.

Many times the facility where the individual resided is usually out the money that the perpetrator's had taken. So, by inserting the above language we would give the tools to those prosecuting and get some of the money back for services received.

Thank you for the opportunity to testify today.

Senate Judiciary Committee
 Date: 1-23
 Attachment: 4