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MEMORANDUM

To: House Committee on Children and Seniors
From: Kyle Hamilton, Assistant Revisor of Statutes
Date: February 14, 2017
Subject: Bill Brief on HB 2232

HB 2232 would allow adult care home residents to conduct electronic monitoring in their own rooms.

Subsection (a) would provide definitions for the section. “Authorized electronic monitoring” would mean the placement of one or more electronic monitoring devices in the room of an adult care home resident and making recordings with such devices after notifying the adult care home of the resident's intent to conduct electronic monitoring; and “electronic monitoring device” would mean a surveillance instrument used to broadcast or record activity or sound occurring in a room, including a video surveillance camera or an audio device designed to acquire communications or other sounds occurring in the room, but not to intercept wire or electronic communications.

Subsection (b) would permit a resident to conduct authorized electronic monitoring in the resident's room, and subsections (c) through (j) would provide conditions for such monitoring. Adult care homes would not be able to retaliate against a resident for conducting electronic monitoring (sub. (c)). A resident, or that resident's guardian or legal representative would be required to notify the adult care home of such individual's wish for monitoring through a form prescribed by the secretary for aging and disability services (sub. (d)). An adult care home would be required to make reasonable physical accommodations for electronic monitoring (sub. (e)). The resident, or the resident's guardian or legal representative would be required to pay all the installation and maintenance costs required for electronic monitoring (sub. (f)). Adult care homes would post a notice at the entrance of the adult care home stating that some rooms may be

monitored electronically (sub. (g)). Individuals being admitted to adult care homes would be required to complete and sign a form that would provide information on the use of electronic monitoring, including restrictions that the resident could elect to place on electronic monitoring conducted in his or her room (sub. (h)). Electronic monitoring devices would need to comply with the requirements of the national fire protection association 101 life safety code or with other standards approved by the secretary (sub. (i)). Knowingly hindering authorized electronic monitoring or tampering with any resulting video or audio recording would be a class A nonperson misdemeanor (sub. (j)).

Subsection (k) would allow the secretary for aging and disability services to adopt rules and regulations to administer the provisions of the section, as necessary.

HB 2232 would become effective upon publication in the statute book.