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House Federal and State Affairs Committee
Chairman Barker and Committee Members

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Mr. Chairman and Committee members

We are 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. We are the oldest and largest nursing home trade association in Kansas. Our members care for nearly 20,000 elders across the state each and every day. At this time we represent more than 250 members, most of which are KanCare Providers.

HB 2427 is a piece of legislation that has been worked on for more than a year by stakeholders. The National Background Check process is a critical component for preventing incidents of abuse. It broadens the current scope of background information gathered on a prospective employee in long term care by reaching outside of the state borders and into national data bases as well as implementing fingerprinting to screen for prohibited offenses. Because of the scope of this reach, we are encouraging full due diligence on the following issues:

This bill expands the list of offenses that if convicted, prohibit an individual from working in long term care. The addition of twenty new prohibiting crimes is a serious policy concern. We believe these crimes should be added but we prefer looking at the felony component and not the misdemeanor convictions. This is especially important in light of the current workforce shortage.

The other concern is the cost of the expanded background check which will now include fingerprinting. The state has agreed on an amount for the background check monitoring that will not be more than \$19. We believe the same consideration should be given to the fingerprinting process...We need to decide on a specific amount for fingerprinting fee. It must not be cost prohibitive for the potential employee or employer.

*Section (5) the current or prospective employer of an applicant shall pay a fee not to exceed \$19 to the department for each applicant submitted for criminal history record check monitoring. **The prospective employer, employee or independent contractor shall pay the fingerprinting fee at the time of fingerprinting to the authorized collection site.***

We really wanted to come today and show support for this process. The unfortunate situation is there is still some discussion that needs to happen so that is why we are here today in a neutral position.

Cindy Luxem
CEO/President Kansas Health Care Association