



February 1, 2022

TO: Senator Carolyn McGinn and
Members of the Senate Committee on Local Government

FR: Matt Fletcher, Executive Director, InterHab

RE: Opposition to SB 316

Chair McGinn, and members of the committee, thank you for the opportunity to share testimony in opposition to Senate Bill 316. The members of InterHab have shared concerns regarding SB 316 that I would like to relay to the committee as it considers the bill.

Confusion abounds whether IDD community service providers would be included under the bill's provisions. IDD service providers are licensed on an organizational basis for various services provided in the community, such as residential supports, rather than by each service setting (i.e. individual residential 'group homes'). These are homes in communities that are usually rented or leased individually. IDD service providers are required to report service locations on their license applications and provide quarterly updates on those locations. KDADS also requires a review of each individual location before providers can begin service delivery there.

Additionally, SB 316 appears to establish public policy contrary to the Kansas Developmental Disabilities Reform Act (K.S.A. 89-1401 et seq.). In particular, 39-1802 states:

39-1802. Policy of state. *It is the policy of this state to assist persons who have a developmental disability to have:*

- (a) Services and supports which allow persons opportunities of choice to increase their independence and productivity and integration and inclusion into the community;*
- (b) access to a range of services and supports appropriate to such persons; and*
- (c) the same dignity and respect as persons who do not have a developmental disability.*

The Kansas Developmental Disabilities Reform Act is established State policy (now more than 25 years old) which clearly indicates that the State will promote individual choice in pursuit of increased independence, integration, inclusion, and productivity. The measure further provides that Kansans with IDD will be treated with the same dignity and respect as any other resident of our state.

That means that Kansans with IDD get to choose where they want to live. Just like you and me.

Finally, SB 316 appears to run afoul of established federal policy such as the Fair Housing Amendments Act of 1988. Passage of this bill could place the state in needless legal and fiscal jeopardy.

We urge that this committee choose not to advance Senate Bill 316. Thank you for your consideration of these important factors.