



Jim Howell
Commissioner – Fifth District
Board of County Commissioners
Sedgwick County, Kansas

Chairperson and Members of the Committee

March 12, 2021

Testimony as Proponent on SB 295

Thank you for an opportunity to testify as a proponent on SB295. I am testifying as a single member of the Sedgwick County Commission as we have not had an opportunity to discuss this as a board. Nevertheless, on March 3, 2021, the commission did discuss this topic and voted unanimously to send a letter to Governor Kelly and KDHE Secretary Dr. Lee Norman.

The request of that letter was permission to re-categorize some of the most vulnerable people from phase III to Phase II. We were not asking to begin Phase III but rather consider the extreme fragility of some residents that are otherwise not qualified to receive a COVID-19 vaccine until we start Phase III.

Here is an excerpt from that letter:

“...We have received numerous requests to allow residents with underlying medical conditions, which increase the risk of serious, life-threatening complications from COVID-19 to be included in Phase 2 of the vaccine plan. We understand that the authority to move from one phase to another rests with the State however, we believe that it is imperative that we advance those in this group to Phase 2. Residents with these underlying medical conditions are certainly at a greater risk of serious complications from COVID-19 including hospitalization and death. Many in the medical community have also emphasized the importance of adding those with underlying medical conditions to Phase 2 as well. They stand ready to assist in identifying and vaccinating their patients as quickly as they are allowed.”

The CDC phase numbers follow a different scheme but their Phase I grouping shows the CDC’s desire to equalize people aged 65 to 74 with those struggling with fragile health issues. Here is another excerpt from the CDC regarding the priority of this group. [<https://www.cdc.gov/coronavirus/2019-ncov/vaccines/recommendations.html>]

Phase 1c [includes the following]

- *People aged 65—74 years because they are at high risk of hospitalization, illness, and death from COVID-19. People aged 65—74 years who are also residents of long-term care facilities should be offered vaccination in Phase 1a.*
- *People aged 16—64 years with underlying medical conditions which increase the risk of serious, life-threatening complications from COVID-19.*

Unfortunately, Sedgwick County has not heard back from the Secretary formally but through some verbal discussion between members of our management and people at the State, it is clear the State has chosen to deny our request. I have had constituents reach out to the Governor's office asking the same thing and here is what one of them relayed to me.

*"I just got off the phone with KDHE and didn't receive useful information. Unfortunately. She [the state KDHE representative] confirmed that yes, if a county chose to vaccinate out of phase that they would **not** receive the same amount of vaccines. And as far as showing Literature all she sent me was the KDHE vaccination website so no real information as to where they are reading scientific data stating that those with pre-existing conditions should not be vaccinated yet."*

Our Health Department Director as well as our Manager in charge of these issues confirmed that they have been told that if Sedgwick started vaccinating people in Phase III, we could see a reduction in the vaccine allotment to Sedgwick County. I view that as '**punishing**' the county for not following the state's vaccination plan to their satisfaction.

This type of threat was confirmed in a March 1st news story, "KDHE Threatened to Withhold Vaccines from Riley County" (<https://sentinelksmo.org/kdhe-threatened-to-withhold-vaccines-from-riley-county/>)

In that news story, it states:

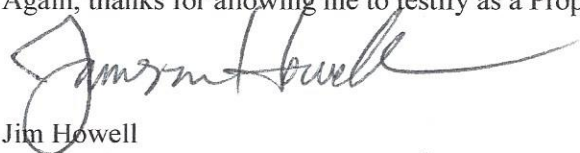
*"Riley County officials confirm that the Kansas Department of Health and Environment (KDHE) **threatened to withhold promised vaccine shipments** if officials didn't stop vaccinating people until other counties caught up. The county is about finished with Phase 2 and planned to begin Phase 3, vaccinating adults 18-64 with medical conditions that could lead to serious health complications from COVID-19. Riley County officials intended to host vaccination events this week. They planned to provide the first of two doses to some of its most vulnerable citizens. But officials scrapped those plans after the Kelly administration warned it would halt vaccine shipments unless the county limited its efforts to Phase 2 eligible people."*

In summary, I believe the state needs to reconsider their misguided position OR allow the counties to make choices for their own populations. Other states are allowing those with significant underlying health conditions to receive the vaccine along with the elderly.

If this bill became law, I still believe we would intend to generally follow the CDC and KDHE guidelines but I think we do need some latitude. I think a 64-year-old person with stage 4 cancer undergoing chemotherapy and radiation is obviously a higher risk from COVID-19 than a 25-year-old in many vocations listed in phase II.

Finally, I understand this legislation may not substantially help due to the timing of this bill. If it were to become law on July 1st, 2021 and expire on December 31, 2021, the natural rollout of the plan would likely provide vaccinations for Phase III before that. Nevertheless, this is a **principle matter** and I appreciate the chance to advocate for a more common sense policy.

Again, thanks for allowing me to testify as a Proponent on SB295.



Jim Howell
Sedgwick County Commissioner, 5th District