



KANSAS
ASSOCIATION OF
COUNTIES

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Senate Public Health and Welfare Committee
March 29, 2021
SB 303

Kansas Association of Counties
Opponent Testimony

Chairman Hilderbrand and members of the Committee:

Thank you for allowing the Kansas Association of Counties to offer opponent testimony on SB 303, which would permit residents and patients to waive city, state or federal restrictions on visitors that are imposed to control transmission or prevention of an infectious disease. It would also prohibit counties from restricting visitors in those facilities.

The Kansas Association of Counties opposes this bill as an infringement of local control. KAC is also concerned that this bill could jeopardize licensure if counties cannot put in restrictions as they deem necessary. This could also create potential liability for counties with residents that elect to not waive those restrictions.

If counties cannot restrict visitation, there will be additional costs associated with protecting non-waiver residents from both visitors and residents that have submitted waivers, not only during the visits, but also for any potential incubation periods after these visits. This would require additional personal protective equipment, as well as separating residents or patients based on waiver status rather than based on care. In addition, this could require allowing individuals into areas with contagions that could then be taken back into the community.

In the event that Federal regulations requires certain protocols, this bill could prevent county facilities from being in compliance, which could jeopardize licensure. This could force facilities to close.

Finally, counties would be forced to protect non-waiver residents and patients from other residents and patients, further isolating waiver patients for their own safety. Failure to do so could create liability on the part of the county. KAC is very concerned about each of these issues and opposes SB 303 for those reasons.

Thank you for the opportunity to provide this information to the committee. KAC stands ready to answer questions at the appropriate time.

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