

## House Judiciary Committee

Tuesday, February 12, 2013

### **Testimony in Opposition of House Bill 2188, Concerning the Open Records Act and the Striking of Exemptive Language Regarding the Reporting for Not-for-Profit Organizations**

Jan Lewis, President/CEO, Catholic Charities of Northeast Kansas

Chairman Kinzer and members of the Committee, my name is Jan Lewis and I am the President/CEO of Catholic Charities of Northeast Kansas. Catholic Charities of Northeast Kansas is a non-profit, faith-based, human services organization that offers Family Stabilization & Strengthening programs in the 21-counties of Northeast Kansas and serves more than 85,000 people annually. I am submitting this testimony on behalf of the people that we serve, the majority of whom are citizens of the State of Kansas, and on behalf of all the non-profit entities that work to alleviate poverty and care for the most vulnerable in our State.

I am writing today in opposition to the striking of certain exemptive language regarding the reporting requirements for not-for-profit organizations as part of House Bill 2188. For many years our organization has worked in close partnership with the State of Kansas to provide essential services for Kansas citizens. We receive funding through competitive grants for several of our programs. One of the core programs that we have operated is supporting foster families who open their homes to neglected and abused children who become wards of the State of Kansas.

As a participant in this program, we receive nearly \$1,000,000 in funding as a grant from the State of Kansas. Some of this funding goes to provide salaries for our case managers and social workers, but the vast majority of these dollars are passed through to the families who provide care and support for these very special children. Many of these children come from homes where they experienced severe physical and emotional abuse. In removing them from their families of origin the State hopes to provide them with a safe and loving environment where they can recover and begin to live the kind of life that we all wish and hope for our children.

HB2188, as it is currently being presented, would require our organization to reveal the names and locations of these children and the families that are sheltering them. Not only is this an abuse of the children's right to privacy, it would also comprise their safety and their ability to build a new life for themselves.

As a partner with the State of Kansas, our program receives an annual monitoring visit for all of our programs that receive State funding. At least one employee of the State visits our offices for several days to review our policies and procedures and to audit our case files. In addition, Catholic Charities of Northeast Kansas has an independent audit performed each year that includes random testing of our accounting processes. As a recipient of federal funding, we also are subject to an A133 compliance audit on several of our programs each year. All of these audits are made available to the public upon request and are also filed with the Secretary of State's office.

Every transaction is available for review during the State monitoring visits and by the independent auditors. Other than creating a reporting nightmare for all not-for-profits, especially those smaller organization's with limited IT resources, I fail to see what value this legislative revision would deliver to the State of Kansas or its citizens.

I respectfully ask that you leave in tact the exemptive language currently contained in the Open Records Act and not accept the proposed revisions. Thank you.