

Kansas Department of

Social and Rehabilitation Services

Janet Schalansky, Secretary

Senate Ways and Means Committee
March 24, 2003

HB 2254 - Dependent Persons

John Badger, Chief Counsel



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HB 2254 - Concerning Dependent Persons

Mr. Chairman and members of the Committee, thank you for the opportunity to appear on HB 2254. My name is John Badger, Chief Counsel for the Department of Social and Rehabilitation Services. This legislation provides for several positive changes to the adult abuse, neglect, and exploitation statutes.

The Department provides adult protective services to adults ages 18 and over who are in need of protection from abuse, neglect, or exploitation. Abuse includes both mental and physical abuse and includes sexual and fiduciary abuse. Neglect covers personal neglect and neglect by a caretaker or other person. Exploitation can be of a physical as well as financial nature. Emergency support services as well as guardianship/conservatorship services are also provided. In FY 02, the Department responded to over 17,000 adult protective service reports.

SRS has worked with Rep. Newton in developing the current amended version of this bill. Amendments include language in new Section 1 to clarify that reports involve adult abuse, neglect, exploitation, and fiduciary abuse, removal of new Section 2 in its entirety, and additional amendments to K.S.A. 39-1408 and 39-1437 to reincorporate permissive language related to SRS involvement in petitioning for guardianship or conservator services when an individual refuses services and is found to lack capacity. This last amendment was found necessary because SRS is often not directly involved in petitioning for such services but relies on other resources including the Kansas Guardianship Program.

Additionally, an amendment was made to K.S.A. 39-1407 (m) which reincorporated the Department's investigative responsibility for adult abuse occurring in the SRS institutions for mental retardation, the Kansas Neurological Institute and Parsons State Hospital.

Finally, the Department noted a technical error in New Section 1(b) and requested the Revisor make the correction. The correction is attached to this testimony.

These amendments, in addition to the initial changes contained in the bill, are positive additions supported by the Department .

Thank you.