

Testimony for the
House Education Committee
Kansas Children's Cabinet overview related to HB 2613
February 8, 2024

Mr. Chair and Members of the Committee,

It is my pleasure to offer testimony today in my role as the Executive Director of the Kansas Children's Cabinet and Trust Fund (KCCTF).

Kansas was a pioneer in establishing a comprehensive system to support children's needs – as both the first state in the nation to establish a Children's Trust Fund in 1980, and the first state in the nation to devote our state share of the Master Tobacco Settlement funds towards meeting the needs of children and families with the statutory establishment of the Kansas Children's Cabinet & Trust Fund in 1999 (K.S.A. 38-1901 and 38-2101 through 38-2105). The Kansas Children's Cabinet is comprised of 15 members – 9 voting members appointed by legislative leadership (4 of 9 members) and the governor (5 of 9 members – no more than 3 of 5 from any one political party), and 6 Ex Officio members representing KSDE, DCF, KDHE, KBOR, Department of Corrections (Juvenile Justice) and the Kansas Supreme Court.

- According to K.S.A. 38-1901(g)(1-7) "The Kansas children's cabinet shall have and perform the following functions:
 1. Assist the governor in implementing a coordinated, comprehensive service delivery system to serve the children & families of Kansas;
 2. Identify barriers to service and gaps in service due to strict definitions of boundaries between departments and agencies;
 3. Facilitate inter-agency and interdepartmental cooperation toward the common goal of serving children & families;
 4. Investigate & identify methodologies for combining funds across agency & departmental boundaries to better serve children and families;
 5. Propose actions needed to achieve coordination of funding and services across departmental lines;
 6. Encourage and facilitate joint planning and coordination between public and private sectors to better serve children and families; and
 7. Perform the duties and functions prescribed by K.S.A. 38-2103, and amendments thereto."

The statutes also established the Kansas Endowment for Youth (KEY Fund) and the Children's Initiatives Fund (CIF). K.S.A. 38-2101 directs all funds received by the state as

part of the Master Tobacco Settlement to be deposited in the KEY Fund and that “all such monies shall constitute an endowment which shall remain credited to the Kansas endowment for youth fund except as provided in this section or in K.S.A. 38-2102, and amendments thereto, for transfers to the children’s initiatives fund.” K.S.A. 38-2102 defines the purpose of the CIF and outlines the requirements for programs receiving CIF funding. Since the outset, strict accountability has been part of the plan for CIF. An annual evaluation process (K.S.A. 38-2103) offers a complete look at how programs serve children and families across the state.

In 2014, the Children’s Cabinet debuted the “Blueprint for Early Childhood” which we continue to use to guide our grantmaking today. The Blueprint focuses on three key categories – Healthy Development, Strong Families, and Early Learning. Decisions made by our agency align with the core principles outlined in the Blueprint and are evidence-based and data-driven thanks to our accountability process. Our governing board holds bi-monthly public meetings to receive reports and take necessary action.

Similar to the Tobacco Master Settlement, Kansas participated in litigation against the pharmaceutical companies and other entities responsible for fueling the opioid-addiction crisis and won a substantial settlement. **Per the Attorney General’s own website, “the settlements will result in Kansas receiving more than \$340 million over the next 18 years to treat and fight opioid addiction.”** As a result of this settlement, in 2021 the Kansas Legislature passed the “Kansas Fights Addiction Act,” found here as K.S.A. 75-775 through 75-781:

https://www.ksrevisor.org/statutes/chapters/ch75/075_007_0075.html

The purpose of the Kansas Fights Addiction fund established by this statute is to fund “qualified projects and activities that prevent, reduce, treat or mitigate the effects of substance abuse and addiction.” The Attorney General administers this fund, so it provides an appropriate source of funding to support the education of school age students on the dangers of fentanyl, rather than sweeping funds dedicated to early childhood efforts in Kansas. This type of prevention effort is exactly the intended purpose of the opioid settlement funds.

Here is the description of the Kansas Fights Addiction Grant Review Board from the Attorney General’s website:

<https://ag.ks.gov/about-the-office/affiliated-orgs/kansas-fights-addiction-act-grant-review-board>

“Kansas has reached multiple settlements with major pharmaceutical companies, distributors and related firms as part of the state’s ongoing efforts to bring accountability to those that fueled the opioid-addiction crisis and to provide funds to support addiction services. The settlements will result in Kansas receiving more than \$340 million over the next 18 years to treat and fight opioid addiction.

The [Kansas Fights Addiction Act](#) was enacted in 2021 by the Kansas Legislature and authorized the creation of the Kansas Fights Addiction board. Sunflower Foundation, a statewide health philanthropy based in Topeka, serves as the administrator for the KFA grant program.

Money recovered by the attorney general pursuant to opioid litigation will be used to address substance abuse and help ensure addiction services are provided throughout the state. Funding will be available through the grant review board created by the statute. State agencies, local governments and not-for-profit entities operating within the state may apply for funding for addiction treatment and abatement through the board.

Eligible organizations serving Kansans are invited to apply for funding through a RFP grant application process. Eligibility is limited to state agencies, local and county governments and nonprofit organizations that provide services in Kansas for the purpose of preventing, reducing, treating, or otherwise abating or remediating substance abuse or addiction. To be eligible, applicants also must release all legal claims arising from covered conduct against each defendant named in the opioid settlement agreements.”

As part of the work of the Kansas Fights Addiction Grant Review Board in partnership with the Sunflower Foundation, Kansas is currently undergoing a statewide needs assessment, entitled *United to Transform*, designed to assess needs and identify strategies to reduce the enormous toll of substance use disorders in the lives of Kansans. The purpose is to document and understand community-level strengths and challenges in order to recommend well-defined opportunities to align systems and implement innovative solutions.

We strongly urge this committee to refrain from passing HB 2613 as written. Should you wish to provide funding for the purpose outlined in the bill, we recommend you look to K.S.A. 75-777 which establishes the Kansas Fights Addiction fund, administered by the Attorney General, as the appropriate source of funding. An aligned substance use ecosystem will ensure that programs like DARE are well-coordinated with other systemic efforts.

More information about our work can be found on our website:

<https://kschildrenscabinet.org/>

Thank you for your time. I am happy to stand for questions.