STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

KRIS W. KOBACH
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

Before the Kansas House Committee on Judiciary
February 4, 2026
Opponent Testimony on House Bill 2480
Submitted by Sara Hortenstine
On Behalf of the Office of the Attorney General

Chairperson Humphries, Vice Chairperson Williams, and Members of the Committee:

Thank you for the opportunity to testify in opposition to House Bill 2480.

HB 2480 creates an exception to Kansas mandatory reporting laws that allows licensed social workers, when working under the supervision of an attorney, to withhold reports of suspected abuse, neglect, sexual abuse, or exploitation of children and adults in need of protective services. This proposed exception would apply during active representation or when a person is seeking legal representation.

We are not aware of other states that have created such broad exceptions of this kind. Abuse and neglect of children is a real and present danger in Kansas and the United States. Any law that could shield on-going abuse and neglect is not sound policy. While proponents may argue this change is meant to protect attorney-client privilege, Kansas should not place confidentiality above mandatory obligations designed to protect the safety and wellbeing of children and vulnerable adults.

Mandatory reporting is one of the few tools that ensures abuse, neglect, or exploitation is identified and remedied, especially before it results in further harm. Creating exceptions based on professional role or work setting weakens that safety net and increases the risk that abuse goes unreported and is perpetuated.

In Kansas, missed or delayed reporting is a recurring and well-documented problem. Many fatal and near-fatal cases involved prior disclosures, warning signs, or professional awareness that never led to a report or timely intervention by our child welfare system. These missed opportunities are often the line between intervention and tragedy.

HB 2480 allows serious concerns of harm to go unreported, based solely on the context in which they are disclosed. Abuse does not become less dangerous because it is revealed in a legal context. Children do not become safer because adults around them are bound by silence. The Kansas Rules of Professional Conduct enable an attorney to reveal such information necessary "to prevent the client from committing a crime" or "to comply with other law".

The bill also relies on discretion rather than duty. Child protection systems are built on mandatory reporting precisely because discretion is inconsistent. Even well-intentioned professionals make different judgment calls, delay action, or assume someone else will intervene. Clear, non-negotiable reporting requirements remove that ambiguity when a child's safety is at stake.

While confidentiality and access to legal counsel are important, Kansas law has long recognized that those interests have limits when the safety of a child or vulnerable adult is involved. HB 2480 shifts that balance too far and does so without evidence that mandatory reporting in these settings is causing harm that outweighs the risk of non-reporting.

Kansas continues to work toward earlier identification of risk, better coordination across systems, and prevention of serious injury and death. Kansas children and vulnerable adult deserve protection. HB 2480 moves us in the opposite direction.

For these reasons, we respectfully urge the committee to oppose House Bill 2480.

Thank you for your time and consideration.