

Substitute for SENATE BILL No. 490

By Committee on Ways and Means

2-22

9 AN ACT creating the Kansas long-term care bill of rights.

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11 WHEREAS, The Kansas legislature finds and declares that, in keeping
12 with the traditional concept of the inherent dignity of the individual in
13 our democratic society, elderly citizens and citizens with disabilities
14 should enjoy health, honor and dignity; and

15 WHEREAS, Funding for long-term care home and community based
16 services is a priority; and

17 WHEREAS, Future policy development should be guided by the prin-
18 ciples embodied in the Kansas long-term care bill of rights: Now,
19 therefore,

20 *Be it enacted by the Legislature of the State of Kansas:*

21 Section 1. (a) This section shall be known as and may be cited as the
22 Kansas long-term care bill of rights.

23 (1) The state of Kansas shall strive to provide a comprehensive, in-
24 tegrated long-term care system throughout the state that is responsive to
25 the varied long-term care needs of Kansans of any age or economic status.

26 (2) The public policy related to long-term care shall stress individual
27 choice, autonomy, self-determination and privacy.

28 (3) The administration of public programs and services to serve all
29 long-term care populations shall be integrated to ensure better, more
30 coordinated policy making, and more efficient service delivery, thus max-
31 imizing the appropriate use of state resources.

32 (4) The long-term care system eligibility requirements and provider
33 reimbursements shall work toward creating incentives to expand the most
34 needed services; to serve people in the most appropriate care setting of
35 their choice; and to provide quality care.

36 (5) Elderly citizens and citizens with disabilities should receive the
37 necessary care and services in the least costly and the least confining
38 setting of choice possible.

39 (6) Public funding shall work toward improving access to and infor-
40 mation about all institutional and residential long-term care options as
41 well as the full range of care options in the home and community.

42 (7) Any expanded and improved home and community based care
43 services shall be developed in a way that supports and complements the

1 services provided by informal caregivers.

2 (8) The state of Kansas shall strive to provide to all long-term care
3 consumers access to services through a single point of entry as well as to
4 current descriptive, relative performance and cost-related information
5 about their various care options.

6 (9) The foundation of the long-term care service system shall be
7 strong reporting requirements to document quality and performance of
8 all providers and the ability to electronically track people and their care
9 across the entire health care and long-term care systems.

10 (10) Strong consumer protections and adequate public oversight, ad-
11 vocacy and enforcement shall be available for all long-term care consum-
12 ers to assist such consumers in receiving appropriate, timely and quality
13 care.

14 (11) The state of Kansas shall strive to expedite eligibility determi-
15 nation and service delivery to all persons eligible for services.

16 (12) The department on aging, the department of social and rehabil-
17 itation services, the department of administration and the Kansas health
18 policy authority shall meet on a regular and as needed basis with stake-
19 holders and persons representing individuals receiving long-term care
20 services to review the ongoing adequacy and quality of care and services.

21 (13) Such state agencies shall submit an annual report on the quality,
22 adequacy and costs of all long-term care, as well as specific recommen-
23 dations and benchmarks for needed reforms, to the governor and the
24 legislature annually, during the first week of the regular session.

25 (b) Nothing in this act shall create any entitlement to services.

26 Sec. 2. This act shall take effect and be in force from and after its
27 publication in the statute book.