Approved:_	3-11-96
	Date

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairperson Robin Jennison at 1:30 p.m. on February 21, 1996 in Room 514-S of the Capitol.

All members were present except: Rep. Cornfield, excused

Rep. Dean, excused

Committee staff present: Alan Conroy, Russell Mills, Susan Wiegers, Legislative Research Department

Jim Wilson, Revisor of Statutes; Mike Corrigan, Revisor

Tim Kukula, Appropriations Secretary; Todd Fertig, Administrative Aide

Conferees appearing before the committee: William B. McGlasson, Div. of Personnel

Rep. Nancy Kirk Senator Marge Petty Rep. Greta Goodwin Mary Dunbar

Kelly Jennings, KAPE Jim Kaup, City of Topeka

Jamie Sharp

Jack Hawn, KPERS Jeanene Carnes

Others attending: See attached list

Chairman Jennison called the meeting to order and opened hearings on HB 2904, HB 2906, HB 2907 and HB 2944. Fiscal notes on HB 2904, HB 2906 and HB 2944 were provided by the secretary (Attachments 1, 2 & 3). Chairman Jennison recognized William B. McGlasson to provide information concerning the criteria that the Governor's Cabinet Closure Commission has developed to evaluate proposals intended to assist employees affected by the institution closures (Attachments 4 & 5). Proposed amendments to HB 2906 were distributed to the committee by staff (Attachment 6) and Jack Hawn offered amendments to HB 2904, HB 2906 and HB 2944 (Attachment 16).

Chairman Jennison recognized several people to testify and answer questions before the committee. Proponents were as follows: Rep. Greta Goodwin (<u>Attachment 7</u>), Mary Dunbar (<u>Attachment 8</u>), Kelly Jennings (<u>Attachments 9, 10, 11 &12</u>), Rep. Nancy Kirk (<u>Attachment 13</u>), Jamie Sharp (<u>Attachment 14</u>), Jim Kaup (<u>Attachment 15</u>), Senator Marge Petty and Jeanene Carnes.

Chairman Jennison closed the hearings on HB 2904, HB 2906, HB 2907 and HB 2944.

Chairman Jennison appointed a subcommittee to look further into these four bills and examine the possibility of combining them into one bill. The chairman of the subcommittee will be Rep. Carmody, and members will be Representatives Neufeld, Minor, Nichols, and Bradley.

A motion was made by Rep. Gatlin, seconded by Rep. Neufeld, to introduce a bill that allows newspaper media to be exempt from certain KCC trucking regulations. The motion carried.

The meeting adjourned at 2:50 p.m.

The next meeting is scheduled on call of the Chair.



House Appropriations COMMITTEE

GUEST LIST
DATE: Z-Z1-96

HOUSE OF REPRESENTATIVES

NAME	ADDRESS	REPRESENTING
Kelly Jennings.	Topeka	KAPE
Vin Kans	Topeka	City of Topeka
Kan Green	*/	Covernois Office
Lon Thineathy	1 4	Jeg.
Jack Hawn	Crankie	KPE RS
Jeff Wasaman	Tope KC1	No14
Shelly Crestine	Dopeka	KCDD
Chery Koman	Winfield	WSHXTC
Pauline Weninger	WeiRield	WSH+TC
Linda Hamin	Winfield	WSH + TC
M Mus Dunhan	Mensielel	WEHLTC
Jeanene Cornes	Wuyield	WSIXXTE
tour Smith		1 (
Freth Lordon	1314 E. 67h	Delf.
Seresa Mugler	Winheld	WSHITC
Jam Garlin	Touck	SCS
Hoger Tranzle	Topeka	FFC



House Appropriations COMMITTEE

DATE: 2-21-96

HOUSE OF REPRESENTATIVES

	NAME	ADDRESS	REPRESENTING
*	Loretta Lina	Winhiel	WSHETE
	Arlan Hothus	Topeki	Drussian of Budget
	Stuat Little	Topole	City of Tapaka
	Inna Borror	Winfield	WSHATC
F	Danie Luncell	Winfield	Whiteld State Hospital
	Tony Purcell	winfield	KKLE Radio
	Deborah Carlson	Topeha	5L5 Personnel
1	Janie Sharp	Winfield	WSH4-TC
	Anita Semuel	AtKansus Cely So-	WSHYTC
	On Reve	Emmet	S.E.A.K.
	AND		



DIVISION OF THE BUDGET Room 152-E State Capitol Building Topeka, Kansas 66612-1504

(913) 296-2436 FAX (913) 296-0231 Gloria M. Timmer Director

Bill Graves Governor

February 14, 1996

The Honorable Robin Jennison, Chairperson House Committee on Appropriations Statehouse, Room 514-S Topeka, Kansas 66612

Dear Representative Jennison:

SUBJECT: Fiscal Note for HB 2904 by Representatives Kirk, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2904 is respectfully submitted to your committee.

HB 2904 would provide immediate vesting for certain KPERS members who are laid off through the closure of a state institution. Affected employees would be granted a vested retirement benefit regardless of the number of years of credited service. In addition, service credit would be granted on accumulated sick leave. Current law provides a member with a vested status after ten years of service credit. The bill provides that, if the Internal Revenue Service determines a participating employer does, not meet the definition of a governmental entity, its affiliation with the system and all employees' accrued rights would be null and void.

The Kansas Public Employees Retirement System indicates that reducing the vesting period does have cost implications, but this cost would not impact the employers' contribution rate because the number of members it would affect is very small and the costs would be spread over all employees. In addition, the granting service credit for accumulated sick leave would have no actuarial impact, as the system would receive employee and employer contributions for this compensation.

Sincerely,

Gloria M. Timmer Director of the Budget

Jack Hawn, KPERS

Affachment

2-21-96

cc:

House Appropriations



DIVISION OF THE BUDGET Room 152-E State Capitol Building Topeka, Kansas 66612-1504 (913) 296-2436 FAX (913) 296-0231

Gloria M. Timmer Director

February 20, 1996

The Honorable Robin Jennison, Chairperson House Committee on Appropriations Statehouse, Room 514-S Topeka, Kansas 66612

Dear Representative Jennison:

SUBJECT: Fiscal Note for HB 2906 by Representatives Kirk, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2906 is respectfully submitted to your committee.

HB 2906 provides special compensation and benefits to state employees that are laid off from employment because of scheduled closure, closure, or budget reductions of a state mental health or mental retardation hospital. Employees would be allowed to receive 52 weeks of pay, state employee health care, and other benefit programs administered by the state for employees. Employees that receive this special compensation would also be paid for all accumulated sick leave.

Topeka State Hospital and Winfield State Hospital and Training Center are scheduled to close by December 31, 1997. The Department of Administration estimates that potential compensation and benefits for the two hospitals could total \$42,051,889 from the State General Fund, assuming 100 percent employee participation. This would include \$18,781,048 for Topeka State Hospital and \$23,270,841 for Winfield State Hospital and Training Center. The Department of Social and Rehabilitation Services estimates that slightly more than 70 percent of current employees would participate in the special compensation. This would reduce the cost of HB 2906 to approximately \$30.0 million. Any change in participation would change the cost of HB 2906.

House Appropriations

2-21-96

Bill Graves

Governor

attackment 2

The Honorable Robin Jennison, Chairperson February 20, 1996 Page 2

The Department of Social and Rehabilitation Services does not anticipate that payments would be made for the special compensation until FY 1998.

Sincerely,

Gloria M. Timmer Director of the Budget

cc: Pat H

Pat Higgins, Administration

Jack Hawn, KPERS

Don Pound, SRS

Robert Hays, Health Care Stabilization

2906.FN



DIVISION OF THE BUDGET Room 152-E State Capitol Building Topeka, Kansas 66612-1504 (913) 296-2436 FAX (913) 296-0231

Gloria M. Timmer Director

Bill Graves Governor

February 19, 1996

The Honorable Robin Jennison, Chairperson House Committee on Appropriations Statehouse, Room 514-S Topeka, Kansas 66612

Dear Representative Jennison:

SUBJECT: Fiscal Note for HB 2944 by Representatives Kirk, et al.

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2944 is respectfully submitted to your committee.

HB 2944 would provide that any employees who are laid off as a result of a state institution being closed, abolished or otherwise ceasing operations, would be allowed to retire with unreduced benefits when their years of service credit and the number of years of attained age equal 75 or more. In addition, employees who retire early in lieu of being laid off would continue to receive health care benefits until age 65. The state would be responsible for the employer portion of the health care. Under current law, employees may retire with full benefits when their years of service credit and number of years of attained age equal 85 or more.

The Kansas Public Employees Retirement System indicates that this bill would increase the employers' contribution rate for state/school categories by 0.01 percent and require additional annual employer contributions of \$308,489 beginning in FY 1999. The additional liability that would be created with passage of this bill would be \$5.7 million.

The Department of Administration estimates the cost of paying the employer's portion of the health care premium to be \$3,194,135. The estimate is based on an annual premium of \$2,100 per individual in the first year that would increase 5.0 percent per year for each year the state pays the premium.

Sincerely,

Gloria M. Timmer
Director of the Budget

Jack Hawn, KPERS

House Appropriations

Attachment # 3

Testimony To The

HOUSE APPROPRIATIONS COMMITTEE

By William B. McGlasson, Director Division of Personnel Services

Wednesday, February 21, 1996 RE: Institution Closure Bills (HB 2904, 2906, 2907, 2928, 2944)

Mr. Chairperson and members of the committee, thank you for the opportunity to appear before you today. I will provide you with some criteria that the Governor's Cabinet Closure Commission has developed to evaluate proposals intended to assist employees affected by the institution closures. I will briefly overview the criteria and the rationale behind the criteria.

The Department of Administration, along with the Department of Social and Rehabilitation Services, is committed to assisting employees who will be displaced when an institution closes. However, we need to make cautious and deliberate decisions because the ramifications of these--and any--proposals for helping these employees are far reaching. Before any plans are developed, we need to know the full scope of the issue including the timetable for layoffs, how many employees will be affected, and how the closure will be implemented.

The Governor and his Cabinet have developed the following criteria to aid us in evaluating legislative proposals, as well as designing administrative procedures, for assisting state hospital employees affected by the closure. Key to these criteria, is the need for fiscal responsibility in the management of state government.

Proposals should focus on short-term, transitional issues aimed at helping employees 1. find new employment, rather than making long-term financial commitments.

Proposing long-term financial assistance to laid off employees is very costly to the state and the long-term benefits to employees is negligible. It is more cost effective and beneficial to employees if we invest in training and retraining opportunities which will more likely result in these employees remaining in the workforce.

Proposals will not result in disruption to other state agencies or state government 2. operations.

State government must continue to be responsive to the taxpayers and to provide services to our customers. Widespread bumping across agency lines may disrupt services and broaden the scope of the problem. Also, expanding bumping rights to unclassified employees is unprecedented in state government and is in conflict with the philosophy governing the unclassified service.

House Appropriations

3. The proposal is applied consistently to all laid off or displaced state employees, regardless of the agency or institution where they were employed.

The overall trend of state government is downsizing. All state agencies are currently looking at ways to reduce spending and decrease FTE counts. The impact on individual employees wherever reductions occur is the same, so it follows that the assistance we provide to laid off employees should also be the same. Is it appropriate for one set of laid off employees to receive greater benefits than other laid off employees?

4. The benefits of the proposal to the state and the employee should justify the cost.

Many of these proposals have a high price tag and provide some tangible short-term benefits to the employee, but little, if any, tangible benefits to the state. An investment in training and retraining, as mentioned earlier, results in long-term benefits to the employee, and the state may benefit by being able to place retrained employees in other positions. Severance pay, in any form, is not an investment.

5. The proposal will not result in disincentives for laid off employees to become gainfully employed.

The primary goal in providing assistance to laid off employees is to help them secure other meaningful employment and, hopefully, will enable the state to retain valued employees. Proposals for assistance to these employees should not defeat that goal. Providing financial assistance over a long period of time may do just that.

6. The proposal does not increase the unfunded liability in the KPERS system.

Proposals should not greatly increase the unfunded liability in KPERS to the detriment of all KPERS covered employees in the state. We believe these proposals should be weighed carefully and actuarial information should be obtained from KPERS.

It is crucial that we are not short-sighted in our plans to assist employees facing layoff due to the closing of institutions. We must consider what is in the best interest of state government now and in the future when we develop plans to assist laid off employees. Focusing our efforts with these criteria in mind should result in plans that provide long range benefits that meet immediate needs.

The Division of Personnel Services appreciates your concern in this matter. We would be happy to provide you with any additional information you may need or answer questions.

SERVICES AVAILABLE TO LAID OFF WORKERS

Division of Personnel Services, Department of Administration

Job Posting

- frequent updates and wide distribution of vacant positions within state government
- · how to access other employment agencies
- · classified advertisements from multiple newspapers in the area
- entering skills into Statewide Human Resource and Payroll System (SHaRP)
- JobLine: telephone recorded message of how to apply for vacant positions in state government

Referrals to Additional Resources

- Department of Human Resources Employment Information Center
- · area temporary employment companies
- major corporations in area

Counseling and/or Training

- employment preparation:
 - resume writing
 - interviewing skills
 - skills identifications

Referral to LIFELINE (Employee Assistance Program)

- financial counseling
- emotional counseling
- personal and family counseling
- referrals to local resources for additional help on above
- · continuing education opportunities
- strategies for seeking employment
- unemployment information
- benefits summary information

Department of Human Resources - Dislocated Worker Services

Career Assistance

- job search database
- testing
- counseling
- · resume writing
- labor market information

Workshops

- job search
- career assistance
- networking

Training

- on-the-job training
- special training
- training support services

Referral to Community Resources

- legal aid
- financial services
- education services

The Kansas Department of Human Resources will be submitting a grant request to the U.S. Department of Labor. This grant will be used to supplement Dislocated Worker Services that already exist. An amount of up to two million dollars will be requested. The grant will be for State workers who have been laid off due to a federal reduction in program dollars to the State of Kansas and for employees who will be affected by the closure of the Topeka and Winfield State Hospitals.

House Appropriations

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Mays, R. Nichols, Spangler and Toelkes

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Proposed Amendments to

HB2906

AN ACT concerning the closure of certain institutions; relating to compensation and benefits for certain laid off state officers and employees; prescribing procedures therefor.

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

Section 1. (a) Notwithstanding the provisions of any other statute, each state officer or employee who is employed by an institution that is scheduled to be closed or abolished or to otherwise cease operations or that has a budget reduction imposed that is associated with any such closure, abolition or cessation of operations, and who is laid off from employment with the institution for the reason of the scheduled closure, abolition or cessation of operations or such imposition of a budget reduction, shall continue to receive special compensation on a biweekly pay basis from the department of social and rehabilitation services without interruption at the rate of compensation in effect at the time of being laid off from employment with the institution for the ensuing 26 biweekly payroll periods under the same conditions and in the same manner as though the person were still employed by the institution.

(b) All amounts of employer taxes, retirement and other contributions and other amounts attributable to such officer or employee's biweekly compensation shall be paid by the secretary of social and rehabilitation services with respect to each person receiving special compensation under this section and all amounts of withholding and authorized payroll deductions shall be withheld and deducted from the special compensation each biweekly pay period, all in the same amounts, subject to the same conditions and in the manner provided by law as though such person were still employed by the institution.

(c) Each individual who is receiving special compensation under this section shall continue to be eligible to participate in and be covered by the state employee health care and other benefit programs administered

the Kansas state employees health care commission and shall pay the of participation in such programs, under the same conditions and provisions as state officers and employees participating in such programs, as though such individual were still employed by the institution.

~ 13 House Appropriations

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- (d) Each individual who is receiving special compensation under this section shall be deemed to be employed for all purposes under the employment security law, except that such individual shall be eligible for and shall receive such employment service information and assistance as are available from the department of human resources to assist persons to become employed, including any state or federally funded employment training or retraining programs of the department of human resources and excluding any benefits as defined by K.S.A. 44-703 and amendments thereto.
- (e) The secretary of social and rehabilitation services shall certify to the board of trustees of the Kansas public employees retirement system the name of each person who is receiving special compensation under this section, including such other information as may be requested by the board of trustees. The period of the 26 biweekly payroll periods under this subsection shall be considered to be participating service for all purposes under the Kansas public employees retirement system for each such officer or employee who is a member of the retirement system on the date such officer or employee was laid off from employment with the institution.
- (f) The secretary of administration shall adopt rules and regulations necessary to implement the provisions of this section.
- Sec. 2. Notwithstanding the provisions of K.S.A. 75-5517 and amendments thereto, each state officer or employee who is employed by an institution that is scheduled to be closed or abolished or to otherwise cease operations or that has a budget reduction imposed that is associated with any such closure, abolition or cessation of operations, and who either (1) is laid off from employment with the institution for the reason of the scheduled closure, abolition or cessation of operations or such imposition of a budget reduction therefor, or (2) voluntarily terminates such employment after receiving notice of the scheduled layoff for the reason of the scheduled closure, abolition or cessation of operations or such imposition of a budget reduction therefor, shall receive compensation for all accumulated sick leave at the time being laid off from employment.
- (b) Retirement employee contributions shall be deducted from all compensation for accumulated sick leave paid to each person under this subsection and benefit calculations for such person shall include all such compensation.
- (c) The secretary of administration shall adopt rules and regulations necessary to implement the provisions of this section.
 - Sec. 3. As used in sections 1 and 2:
 - 1) "Institution" has the meaning ascribed thereto by K.S.A. 76-12a01 amendments thereto; and
 - (b) "laid off" and "layoff" mean, in the case of a state officer or em-

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GRETA H. GOODWIN

REPRESENTATIVE SEVENTY-EIGHTH DISTRICT
COWLEY & BUTLER COUNTIES

STATE CAPITOL—RM. 281-W
TOPEKA, KANSAS 66612-1504
DURING SESSION
(913) 296-7669
LEGISLATIVE HOTLINE
1-800-432-3924



JOINT CO

COMMITTEE ASSIGNMENTS

MEMBER:
JUDICIARY
HEALTH & HUMAN SERVICES
TAXATION

JOINT COMMITTEE ON HEALTH CARE OVERSIGHT KANSAS PUBLIC EMPLOYEES RETIREMENT STUDY COMMISSION

HOUSE OF REPRESENTATIVES

TESTIMONY BEFORE THE
HOUSE APPROPRIATIONS COMMITTEE
HOUSE BILLS 2904, 2906, 2907, AND 2944
February 21, 1996

The Winfield State Hospital employees have been strong, caring, and deeply concerned over the care of our residents. I have spoken at employee's meetings on three or four different occasions since the announcement that our hospital was targeted for closure. Our employees continue to stand together strong in that they will not abandon their jobs of caring for our fragile residents. I have been at the hospital very often and witness their willingness to continue in their jobs knowing that there may not be any incentives offered them, nor a job for them at the time the doors close for the final time on WSHTC. You will never see a more dedicated group of employees than those working at Winfield State Hospital.

However, as time has elapsed, since the announced closure decision reality has begun to set in, and I see our employees starting to have fear and anxiety. They fear there will not be a job for them at the end of this closure process, the anxiety they are experiencing is from not knowing if they can continue in their present job with families to support if there is nothing to assure some opportunities at the closure date. (See attachments). Jobs are not readily available in our area.

The incentives offered in HB 2904-2906-2907-and 2944 are the least we can offer to the Winfield and Topeka employees to assure the employee's continuation of care giving for our severely disabled residents until proper community placements are developed. Those community services are not available for WSH residents now. Our employees want to continue the excellent care until the closure but financially they may not be able to do so.

I do not feel any of the proposals set forth in the four bills being heard are any more than would be offered through any other mass layoffs of state employees. This layoff was not due to any employee's fault, but the jobs are being eliminated due to the Governor's decision. The Governor should fully support the bills which we are having hearings on today.

The Winfield employees have been loyal for the past 5 years as our hospital has been named, not named, and then named again for closure. Not one person in this room understands the uncertainty, stress on families and all the emotions that have gone with this closure process for our employees. One could assume that every employee would have had good reasons to search for other jobs during this tremendously stressful time,

RESIDENCE: 420 E. 12TH WINFIELD, KANSAS 67156 316-221-9058

House Appropriations

Attachment 7

particularly when there are several instances where the mother and father are both employed and providing services at our hospital. The employees have not done this. Over the past eighteen months the average termination or job reductions have been 10 per month. They have continued on in their devoted fashion to our residents.

It is vital to the closure process that all employees continue in their jobs. Mass evacuation of employees at this time would mean a forced early closure as well as a disaster of the hospital closure process. As I have held employee meetings concern has been expressed as to any job security or opportunities for I have asked that they stay calm until this legislative body received and contemplates legislation which, if enacted, would be to their benefit. I would hope each one sitting on this Appropriations committee would ask yourself "would I be looking and leave for another job knowing that my present job will be terminated no later than December 31, 1997, and quite assuredly before that time as downsizing continues?". I believe you know the answer. We cannot afford for our employees to leave, not only for the hospital residents continuation of quality care, but for the success of the closure process which success SRS wants very badly. We cannot afford the closure process to be a disaster. could certainly be just that should employees not be offered an incentive to stay until the doors are locked forever at our hospital. They want to stay, repeatedly I have been told that.

We should do no less than assure these employees that we do continue to need them on the jobs of providing care to our residents. The passage of the employment benefit bills being heard today will assure them of that.

HB 2904 contains a vested requirement benefit. You have a copy of the fiscal note which shows that the cost of this proposal would not impact the employer contribution rate because the number of members it would affect is very small and the costs would be spread over all employee.

HB 2906 offers six months severance pay package. This legislation is badly needed if we are to expect our employees to stay on the job until the closure date. Winfield now has approximately 700 employees, with an average number of years of service being 10.75 years. The severance pay will be going to long time loyal employees.

HB 2907 would allow job preference for the displaced employees and for their names to be retained on eligible lists of state jobs for a period of 5 years after layoff or termination. As I have stated previously, many of our employees will not be able to secure work in our area. Jobs are not readily available in our rural community. We expect many to have to look outside our community for work. The state should want to award them this privilege for state job preference for their past faithful work with the state.

HB 2944 would allow long time employees an option for early retirement with the number of years of credited service and number

of years of age equal to or more than 75. This incentive would help those employees who are at an age where the job market is not going to be very desirable to start a new career.

I thank you for the hearing today. I hope each of you will reflect on the trauma our hospital employees have gone through for the past several years and yet continued to serve our state above all expectations. The passage of these bills will take away some of their stress, anxiety and fear as they continue to serve the state and our fragile hospital residents. I feel that we owe our employees nothing less than what is offered in the four bills. I ask your support of these four bills.

The Winfield Daily

Courier

Winfield, Kansas

February 9, 1996

Terry, Linda Triplett face loss of both their paychecks

By JUDY WELCH

Meet Linda and Terry Triplett. Like many other couples, the Tripletts juggle full-time jobs, a mortgage and their three kids' schedules.

Unlike most other couples, they both work at the Winfield State Hospital and face the loss of both of their paychecks.

"I've invested 25 years of the best years of my life at Winfield State Hospital. I thought this was my career," Terry Triplett said. "I'm concerned about my future. Who's going to hire you when you're 50?"

The 100-year-old hospital is scheduled to close by Dec. 31, 1997. That's five years before the 47-year-old Terry Triplett will be old enough to retire under the state retirement program, a program he's been investing in for

25 years.

That frustrates the Tripletts. So does the possible loss of their health insurance program.

That's primarily because the Tripletts' 7-year-old daughter, Marie, is a diabetic and insulin dependent.

The Tripletts may not be able to find other state jobs when their present jobs are eliminated by the closure. New jobs mean new insurance companies, and new insurance companies aren't anxious to insure pre-existing conditions.

"I've really taken this closure hard because it's going to have an effect on my family, and I don't know what will happen next," said Terry Triplett.

"We've tried hard not to make this a burden on the children," said Linda Triplett.

But Ryan is 16 and Sherry is 13. They're aware of the controversy surrounding the Hospital Closure Commission's decision, and they, too, wonder about their future.

"They don't want to give up what they have here," said Terry Triplett.

"My roots are in Winfield," said Linda Triplett. "All my kids go to school here. We'd have to uproot five people and find both of us jobs in the same town."

Terry Triplett began working at the hospital 25 years ago when there were 1,200 residents. He was in grounds maintenance then; 12 residents worked with him."

"You acquire friendships with people who live here," Triplett said. "You spend almost as much time around them as you do your own family."

Terry Triplett has never forgotten one resident who was moved from the hospital shortly after Triplett began working there.

"The resident had been here 40 years. He was crying. He asked me 'What did I do to make them mad at me, to make me leave my home?" Triplett recalled.

"He had been here almost all his life," he said. "He had two footlockers. He was allowed to take one. His life possessions — he had to leave one behind."

Terry Triplett is a painter now. Linda Triplett, an occupational therapy assistant, has been at the hospital 19 years. That's where the Tripletts met. They married eight years ago.

"I had a lot of good times out here, and made a lot of friendships," he said. "I like working here. I like the people who live here, who work here."

Both Tripletts worry about the residents — where they'll be sent, and if they will continue to receive good care.

"The governor just adopted a little child. I wonder how he'd feel if the child were put in new surroundings with new people to care for her." Terry Triplett said. "What happens to the baby that's born today that's retarded?"

A lot of the residents lived normal lives until they suffered brain damage. One was injured when a hair dryer fell in his bath water. Another was bitten by a bug, and one fell off a horse, said Linda Triplett.

People who haven't been affected by such incidents in their lives don't really understand the dilemma faced by employees, residents and their families, she said.

"An 'institutional setting' doesn't have to be a bad word. I guess I haven't been convinced it's going to be better" in a community setting. Terry Triplett said. "I thank God that my children are normal."

The Winfield Daily

Courer

infield, Kansas

February 10, 1996

WSH closing will be hard on employees

(EDITOR'S NOTE: This is the last of a two-part series profiling the employees who care for the severely handicapped residents of the Winfield State Hospital. The hospital, one of the largest employers in Cowley County, is to be closed by Dec. 31, 1997.)

By JUDY WELCH

There is no "typical" employee at Winfield State Hospital.

Some are married; some aren't. Some have children; some don't.

Most everybody has a mortgage and a bill or two, or three.

What they don't have is job security.

The 100-year-old hospital was targeted by the Hospital Closure Commission to close by Dec. 31, 1997.

The Legislature has until Feb. 21 to overturn the decision. Those close to the issue expect the date to pass without much notice by the majority of Legislators.

The date will not go unnoticed on the hospital's campus, or in homes across Kansas where fami-

(Continued from page 1)

the doors are locked.

"I am eligible to retire, but I'm not ready to retire. I'm 54. I'm in good health. I'm probably as active now as I've ever been," Swope said. 'I'm just not ready to retire. I like to work with people."

Linda Bailey intends to stay at the state hospital as long as she is needed.

"I don't like leaving things undone. I couldn't live with myself if I left the people and staff," she said.

Bailey's mother, Mary Shiflet, worked at the hospital for 20 years before she retired. Bailey's daughter, Tisha, worked there as well before she entered college to earn a nursing degree. Bailey, 47, directs the nursing staff and manages the clinic and central supply divisions.

"I think it's generational. It gets in your blood. You can't imagine doing anything else. You grow up with it," she said.

The typical hospital employee is family oriented with roots in Cowley County, according to Bailey.

Most employees are dedicated to hospital residents and are "people who are just crushed, absolutely crushed, thinking they won't be involved in these people's lives anymore, people who come in on

lies of the profoundly handicapped hospital residents are still trying to understand why the hospital is being closed and what's to become of their children.

"The governor just adopted a little child. I wonder how he'd feel if the child were put in new surroundings with new people to care for her," said employee Terry Triplett. "What happens to the baby that's born today that's retarded?"

The 700 employees are from a diverse background. Pat Swope is one of the single, self-supporting professionals. So is her daughter, Sandra Skov, who supports an eight-year-old child.

"This is really a young, bright professional group," Swope said.

She started 36 years ago as a direct care staff trainee and today directs the work on three of the five units at the hospital.

The state hospital has attracted professionals with its salary schedule, the unique community that hosts the hospital, and the quality of the area school systems, Swope said.

"Salaries were meant to attract and keep professionals," she said.

time-off to be involved," Bailey said. "I've worked a lot of places but I've never seen the dedication I've seen here. They can just look at the residents and tell the little things, whether they're happy, things you don't learn overnight.

"They're family. They love them. They absolutely just love these people. And I think the one thing that's been the hardest to accept about the closing is worrying about what will happen to the people," she said. "I worry a lot about my staff, where they're going to go. Nurses, I know, will be able to find jobs anywhere."

The majority of the nursing staff will probably stay at the hospital as long as they're needed, she believes.

"I think we're kind of in a lull right now. The initial (closure) reaction is over. I think there's still some denial out there, that there will somehow be a last-minute reprieve. We'll see a lot more reaction in a few months," Bailey said. "It will be very traumatic."

"You can't say after 100 years of service we've done our job," said Tyrone Sharp.

He had a variety of jobs before he began working at the state hospital about three years ago. The 25year-old direct care staffer supports his wife, who has health problems The closing "will be tough on young professionals who don't have time vested. So the community project means a lot if they can get that in place so staff and residents can transfer (to the proposed community setting). It's terribly important they get that community project going," said Swope, a Winfield resident.

Salaries were also designed to attract and keep needed staffers who do not have college degrees, she said.

Çarpenters, cooks, custodians, secretaries, keyboard operators, laundry workers, meat cutters, mechanics, plumbers and seamstresses play a key role in keeping the small city operating efficiently around the clock.

But the downsizing of the hospital's population is causing staffing patterns to be constantly revised.

"We want to make sure everything is done in a professional manner," Swope said.

She plans to work at the state hospital as long as she can, but doesn't promise to be there when

(SEE: Closing, page 10)

and is unable to work.

Sharp, an Arkansas City resident, has grown attached to the residents he cares for and is convinced there are not enough homes available in community settings for the residents.

"A new environment would be just outrageous for these people, and everybody is concerned about their jobs," Sharp said. "Some employees have been here 25 or 30 years. The residents have been here quite some time. Why make their life any more complicated than it already is?"

He also worries about the new generation of retarded people, the ones who are born handicapped or disabled in car accidents.

"I'm planning on staying here until they shut the doors in my face," he said. "Everybody has to stick together in this. If we stick together, everybody will make it."

The present pay scale for community facility staff will have to be upgraded in order to hire and keep

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caregivers who are trained and able to care for the profoundly handicapped hospital residents, said Marty Clines, another direct care staffer.

He figures he'd have to take a 50 percent cut in pay and lose some health insurance benefits to move from the hospital to a community agency.

"You can't support five people on that," Clines said. "I have to support my family."

Clines, 29 and a Winfield resident, has had family working at the state hospital for 30 years. His wife, Sherry, worked there until she injured her back, and has since undergone two operations.

"I think they were proud to work here," Clines said.

His mother and sister were already working at Parsons State Hospital when the Winfield hospital was targeted for closure. That's an option for Clines, but neither his wife nor their three children want to leave Winfield and their friends.

"I was going to buy a house the day they closed us," Clines said. "As I went to go sign the papers, I heard on the news they're closing us."

There isn't a "typical" employee at the state hospital, he said. "The only thing typical is that 95 percent really care for the people that live here.

"Actually, I think most employees worry what will happen to the residents," Clines said. "They worry where their next meal is going to come from, but they still share a common concern for the residents."

Tina Mannon, a 28-year-old Burden resident and WSH food service worker, has been trying to attend employee meetings to keep up with the closure process. "I hate to see it close. I'd like to see it stay open. I think we give better care out here," Mannon said. "I've gotten attached to a lot of the kids out here, and I don't think they're going to get that type of care in a community home."

February 21, 1996

Mr. Chairman and Members of the Committee:

Thank you for allowing me to testify today. I want to applaud you for your concern for the displacement of state employees due to the closure of Topeka State Hospital and Winfield State Hospital and Training Center.

The majority of employees of both hospitals will benefit from House bills 2904, 2906, 2907, and 2944. I would like to speak in favor of HB 2944. I support this bill especially since it would provide health insurance for those of us who would choose to take early retirement because of job displacement due to closure.

I have talked with many of my peers from Winfield who are close to retirement age but do not meet the 85 point requirement. would also have difficulty in paying their own insurance premium due to their early retirement. I have talked to several couples who feel they cannot retire unless part of the premium was paid by the State of Kansas.

HB 2944 will allow those considering early retirement due to displacement to continue to have quality health insurance. It is difficult for people in this age group to find and keep quality health insurance due to such preexisting health conditions such as cancer, diabetes, heart disease, and chronic respiratory diseases. This bill could effect approximately 90 employees at Winfield State Hospital and Training Center and approximately 70 employees at Topeka State Hospital.

Thank you for considering a Health care plan for those of us who would be displaced and may have the opportunity to retire. I will be glad to answer any questions that I can.

W Jary Deenhaw

2-21-96

House Appropriations.



1300 South Topeka Avenue Topeka, Kansas 66612 913-235-0262 Fax 913-235-3920

TESTIMONY OF KELLY JENNINGS KANSAS ASSOCIATION OF PUBLIC EMPLOYEES

Before the House Appropriations Committee in support of House Bill 2904
February 21, 1996

Members of the committee, good afternoon. My name is Kelly Jennings, I represent the Kansas Association of Public Employees. Thank you for the opportunity to appear before you in support of House Bill 2904.

HB 2904 is one of a series of bills designed to ease the displacement of workers caused by proposed closure of Topeka State Hospital and Winfield State Hospital. This bill provides for the early vestment in the Kansas Public Employees Retirement System for workers displaced by hospital closure who choose to remain until laid off.

Currently, employees must be participating members for ten years before they are vested in KPERS. HB 2904 would provide automatic vesting for any employee, regardless the length of service, who remains at the institution until laid off. If these changes are not made for early vesting, employees with less than ten years of service who are not yet vested will lose all of the contributions the state made on their behalf.

There is a fiscal note associated with this bill. However, the costs of granting early vestment outweigh the negative affects that worker flight could have if employees are given no incentive to remain at the institutions until they are closed. Staffing levels must be maintained at the institutions during the closure process in order to maintain accreditation and insure proper services.

Providing early vestment in KPERS to loyal workers, who are losing their jobs through no fault of their own, is one of the incentives that can be utilized to insure the proper provision of services. KAPE urges the committee to report favorably on HB 2904. Thank you for your time and consideration on this matter. I would be happy to stand for any questions you have.

HOUSE APPYOPY (ATIONS Affiliated with the Federation of Public Employees / AFT / AFL-CIO

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2-21-96

1300 South Topeka Avenue Topeka, Kansas 66612 913-235-0262 Fax 913-235-3920

TESTIMONY OF KELLY JENNINGS KANSAS ASSOCIATION OF PUBLIC EMPLOYEES

Before the House Appropriations Committee in support of House Bill 2906 February 21, 1996

Members of the committee, good afternoon. My name is Kelly Jennings, I represent the Kansas Association of Public Employees. I appreciate the opportunity to appear before you in support of House Bill 2906.

HB 2906 is another in a series of bills designed to negate the effects of proposed institutional closure. The bill contains provisions to encourage employees to remain at the institutions throughout the closure process and thus avoid the effects of employee flight.

The bill will provide a severance package for employees who choose to remain at the institution until laid off. The package will provide for salary, retirement benefits, and health insurance coverage for a period of one year. The package also provides for payment of all accumulated sick leave.

Many other government entities have adopted similar plans for displaced workers at closed institutions as a means to avoid the negative effects of worker flight. The costs of such a program greatly outweigh the long term costs that will occur if worker flight happens.

KAPE urges the committee to give special consideration to this bill. Thank you for your time and consideration. I would be happy to stand for questions.

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Affachment



1300 South Topeka Avenue Topeka, Kansas 66612 913-235-0262 Fax 913-235-3920

TESTIMONY OF KELLY JENNINGS KANSAS ASSOCIATION OF PUBLIC EMPLOYEES

Before the House Appropriations Committee in support of House Bill 2907
February 21, 1996

Members of the committee, good afternoon. My name is Kelly Jennings, I represent the Kansas Association of Public Employees. I appreciate the opportunity to appear before you in support of House Bill 2907.

HB 2907 is another in a series of bills designed to negate the effects of proposed institutional closure. The bill contains provisions to encourage employees to remain at the institutions throughout the closure process and thus avoid the effects of employee flight.

The bill provides expanded transfer and bumping rights for employees who choose to remain at the institutions until laid off. These employees will be given preference in transfers to other vacant state positions, and preference on reemployment and reinstatement lists for up to five years. The bill also contains expanded bumping rights to any position in state service in which the employee had prior permanent status or for which the employee meets the requirements.

There is no fiscal note associated with this bill. Passage of this bill would provide employees with an incentive to remain at the institutions throughout the closure process by giving them increased opportunities for future employment after the institutions are closed. More employees will be encouraged to remain if there will be possibilities of future employment.

KAPE urges the committee to report favorably on HB 2906. By providing incentives to the employees, the transition of the closure process will be smoothed. Thank you for your time and consideration on this matter. I would be happy to stand for any questions you may have.

House Appropriations
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Attachment 11



1300 South Topeka Avenue Topeka, Kansas 66612 913-235-0262 Fax 913-235-3920

TESTIMONY OF KELLY JENNINGS KANSAS ASSOCIATION OF PUBLIC EMPLOYEES

Before the House Appropriations Committee in support of House Bill 2944
February 21, 1996

Members of the committee, good afternoon. My name is Kelly Jennings, I represent the Kansas Association of Public Employees. I appreciate the opportunity to appear before you in support of House Bill 2944.

HB 2944 will provide for an early retirement incentive package for workers who are laid off from institutions slated for closure. The provisions are identical to the package passed last year by the House for eligible employees at all state agencies. The bill provides for retirement at 75 points and health insurance coverage until age 65.

While there is a cost associated with this bill, the benefits gained in avoiding worker flight outweigh the possible long term costs of closure if incentives are not provided to retain qualified workers. Employees who are at or near retirement age would be encouraged to remain at the institution until actual closure occurs with the passage of this bill.

KAPE feels this is one of the incentives that will encourage workers to remain at the institutions and avoid the pitfalls that can often accompany the closure process. We urge the committee to report favorably on HB 2944. Thank you for your time and consideration on this matter.

House Appropriations
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NANCY A. KIRK

REPRESENTATIVE, FIFTY-SIXTH DISTRICT SHAWNEE COUNTY HOME ADDRESS: 932 FRAZIER TOPEKA, KANSAS 66606 (913) 234-8806

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COMMITTEE ASSIGNMENTS ECONOMIC DEVELOPMENT HEALTH AND HUMAN SERVICES TAXATION

TOPEKA

HOUSE OF REPRESENTATIVES

TESTIMONY REGARDING HB2904,2906,2907,2944

I am here today speaking to you as Chair of the Shawnee County Delegation. You have before you a package of bills developed to meet the needs of public employees who are affected by the closure of our state institutions. The proposals were developed by the employees of the institutions and local committees established to develop recommendations for possible legislative action. It was hoped the plans we developed would become the foundation of support available to current and future employees who lose work because of the closure of institutions.

The plans developed had two basic foci:

- 1. To provide incentives to employees to remain until lay off or closure.
- 2. To support and remove barriers to re-employment; including such issues as training and re-training programs, hiring preferences, early vesting, and early retirement options.

Providing incentives to employees to remain until lay off or closure is important in preventing the premature closure of the institutions due to "employee bail out". It is also an important tool in assuring the safety of patients and staff and preventing a loss of accreditation due to staff shortages.

We also believed the State of Kansas has an ethical responsibility to assure our employees are treated in a reasonable and compassionate manner. It is important that we recognize the sizeable contribution these employees have made to the success of the programs in which they have been employed. A thank you and a pat on the back are insufficient and more bluntly, they are insulting. The employees of these institutions have worked hard for many years performing often unpleasant duties, but doing so because they were committed to serving these very special populations. We have an equal obligation to these employees. All they really want are jobs. All they ask is our willingness to ease the process.

Attachment

2-21-96

House Appropriations

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To Whom it may concern:

I have had a large part of my life, approximately 20 years, invested in Winfield State Hospital.

The closing will be the end of something that has played a major role in my life and many others like myself, we have supported ourselves, our families and each other. We thought this institution would be forever and that we would retire from here.

Now we must make some big decisions and life changes, I personally have some <u>life</u> changes that are very real. August 10th., 1995 my husband had a heart transplant, needless to say this has been very traumatic, compounded by the knowledge that I will be unemployed. I have always carried group insurance on my family, as it turned out this was a real <u>life</u> saver, now I am faced with losing that insurance, the very thing we need to sustain my husbands' life, there is not any way I would be able to carry this plan individually, as the cost would be prohibitive even if I can obtain a good paying position. Medicare will not cover medications and his medications are prohibitive without insurance, one alone for one month is over \$400, he takes many. There are many other procedures and medical expenses that must be done for the rest of his life.

I am not old enough to retire, I have some college credits and did carry a "full college load" and worked full time for a year, but one or the other suffered. I am in good health, capable and have the intelligence to do many things, I do not have the education or training. We will not all be able to work in the community homes. My goal is to obtain another state job, this is imperative for me personally. I can not let my insurance lapse for one moment as no one will accept my husband.

If I had a year to work on my education, training and job search I would with all probability be able to accomplish this. There are others in like situations.

I intend to be here at Winfield State Hospital caring for the residents, no matter the circumstances, to the best of my abilities until the doors close. But, I must also be realistic, if I am not going to have the means to carry on after the doors close, some time to accomplish my objectives, then I need to know now, as I will need to obtain whatever I can when the opportunity arises, I can not be unemployed for any amount of time. Any training, completion of education or job preparation would take at least a year.

Thank you for your consideration and attention,

Jame Sharp

Attachment 14

House Appriations



CITY OF TOPEKA

City Council 215 E. 7th Street Room 255 Topeka, Kansas 66603 Phone 913-295-3710

LEGISLATIVE TESTIMONY CITY OF TOPEKA

HOUSE BILLS 2904

2906

2907

2944

TO:

Chairman Jennison and Members, House Appropriations Committee

FROM:

Jim Kaup, City of Topeka

DATE:

February 21, 1996

RE:

Support for Legislation on Behalf of Topeka State Hospital Employees

The City of Topeka appears in support of legislation intended to benefit employees of Topeka State Hospital who are facing the loss of their jobs due to the proposed closure of the Hospital.

The City supports HB 2904, HB 2906, HB 2907 and HB 2944 as each bill is consistent with the "Employee-Issues" recommendations of the Mayor's Task Force on the Future of Topeka State Hospital. Several pages of that report -- which was presented to the Governor on February 9, 1996 -- are attached. That excerpt reflects the two principal requests this community is making of the Legislature and the Administration with respect to Topeka State Hospital employees:

• Assistance in gaining new employment

and

• Incentives to encourage employees to remain at TSH until their jobs are eliminated, so as not to compromise the quality of care being provided TSH clients.

The City respectfully requests your favorable consideration of these bills.

House Appropriations

Attachment 15

RECOMMENDATIONS OF THE MAYOR'S TASK FORCE ON THE FUTURE OF TOPEKA STATE HOSPITAL -- EMPLOYEE ISSUES --

The Mayor's Task Force on the Future of Topeka State Hospital respectfully submits to the Governor its recommendations relating to Employee Issues. The recommendations are listed in order of priority. These recommendations were developed by the Employee Issues Study Group chaired by Sen. Marge Petty in part from a survey of TSH employees, proposals developed by employees at Winfield State Hospital, and from an issue paper prepared by a state legislator. The members of the Task Force Study Groups approved its recommendations at its meeting of February 6, 1996. The Mayor's Task Force adopted those recommendations, with amendments, at its meeting of February 8, 1996.

- A. Employment Continued state employment, or other re-employment, appears to be the primary goal of most Topeka State Hospital employees. Therefore, the Task Force recommends that the following package of incentives be developed which will enhance the likelihood of continued employment for TSH employees with the State, or re-employment in either the public or private sectors:
 - 1. Establish a preference for hiring displaced TSH workers by other state agencies. (See SB 615 and HB 2907.)
 - 2. Establishment of training programs designed to assist TSH employees in gaining re-employment. Such programs should be funded both through existing and new state programs. Retraining should be offered at no cost to TSH employees. (HB 2905 and SB 613 provide for "priority consideration" regarding KDOC/H and KDHR business assistance programs for entities providing services previously provided by TSH.)
 - 3. Provide potential non-state employers with training resources, including moneys from the state, as incentives to hire displaced TSH employees. Specifically, provide state funding of short-term subsidies to not-for-profit community mental health providers to hire TSH employees. (See HB 2905 and SB 613, and SB 549 as amended by the Senate.)
 - 4. Enact legislation to permit IRS Code 501(c)(3) community mental health providers to be "eligible employers" for KPERS purposes. (See HB 2904 and SB 616.)
 - 5. Eliminate any statutory restrictions against TSH employees accepting employment by private or public mental health care providers. (See HB 2784 and HB 2928.)
 - 6. Provide state funding of tuition and fees for TSH employees who enroll at Washburn University of Topeka, state universities or community colleges to receive training relating to re-employment.

- 7. State provision of outplacement and job search services to displaced TSH employees.
- 8. State payment of TSH employee moving expenses when other state employment is secured.
- B. Incentives for Employees to Remain at Topeka State Hospital The second priority of Topeka State Hospital employees is the development of incentives to retain needed employees at TSH until its closure. Retaining such employees is critical for the continued provision of quality services to clients, maintaining hospital certification, avoiding "premature" closing of TSH, and assuring a safe environment for employees and clients. "Premature" closing or loss of TSH accreditation can cost the state its Medicaid reimbursement.
 - 1. Legislation to allow payment to such TSH employees for a portion of their accumulated, unused sick leave. (See SB 614 and HB 2906.)
 - 2. Continued salary and benefits for 6 months after closure. (See SB 614, providing for 52 weeks severance.)
 - 3. Legislation to extend the time period such TSH employees may continue to participate in the state's group health care insurance plan, to 24 months after termination of their positions at TSH, or until re-employment. (See SB 614.)
 - 4. Legislation to extend re-employment rights with the state from present 3 years to 5 years. (See SB 615 and HB 2907.)

Additional employee issues include severance, retirement and benefit packages.

- 5. Legislation to establish an early retirement package for TSH employees by adjusting the age plus service formula (e.g. lower points required for retirement). (See HB 2944.)
- 6. Legislation to permit unused sick and vacation leave earned while a TSH employee to count as service time for purposes of qualifying for early retirement under KPERS. (HB 2904 and SB 616 provide that accumulated sick leave time for TSH employees counts as participating service credit.)
- 7. Allow for a continuation of eligibility for health insurance benefits for TSH employees who take early retirement. (See SB 614.)
- 8. Extend eligibility for retirement to 24 months after termination of a TSH employee's position (i.e. continued earning of retirement points during that period). (SB 614 provides that the 52-week severance period counts as participating service for KPERS purposes.)
- 9. Legislation to shorten the present 10-year vesting period for KPERS to no greater than a 5-year vesting time for TSH employees. (See HB 2904 and SB 616, which grants vesting in KPERS for any TSH employee laid off due to closure, regardless of years of service.)

HB 2904

On page two line 37 strike the word "will" and insert "associated with such affiliation shall"

On page two line 40 strike the words "be subject" and insert "apply"

On page four line 40 strike all after the word "employer"; strike all of line 41; strike all before the word "As" and insert "will retain the member on the payroll until the member has been compensated for all accumulated sick leave."

HB 2906

On page two strike lines 10 through 19

On page two strike lines 34 through 37

HB 2944

If it is the intent of the legislation to only apply to members who have 75 or more points at the time of the lay off, make the following amendment;

On page one line 36 after "or" strike the rest of the line; strike all of line 37 before the last word of that line

House Appropriations

Attachment 16