

SESSION OF 2008

SUPPLEMENTAL NOTE ON SENATE BILL NO. 566

As Amended by Senate Committee on
Public Health and Welfare

Brief*

SB 566, if enacted, would create a new law to be known as the Attendant Care Workers Act. The new act would direct the Secretary of Social and Rehabilitation Services to conduct a study of the status and working conditions of attendant care workers, a term defined for purposes of the new law as non-licensed employees who provide Medicaid or state funded personal care and services. The Secretary would be required to complete the study by October 31, 2008 and to report the findings and recommendations to the Joint Committee on Health Policy Oversight on or before November 1, 2008.

Pursuant to the legislation that would be created by the bill, the required study would include an appropriate procedure or mechanism for:

- Pay rate increases;
- Travel and mileage reimbursement or allowance;
- Reimbursement for the employer's share of premium paid for the attendant's participation in the State Employee Health Benefits Program; and
- Any other wage and benefit enhancements or expense allowances.

Under the provisions of the bill, the study directed by the bill is to be funded from the Money Follows the Person Grant funds or federal Systems Transformation Grant.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

At the hearing on SB 566, the Secretary of Social and Rehabilitation Services, a member of the Senate, three private citizens who utilize attendant care, a representative of the Kansas Commission on Disability Concerns, the Director of Topeka Independent Living, representatives of Service Employees International Union, and the mother of two disabled children appeared in support of the bill. Written support was received from the Executive Director of the Disability Rights Center of Kansas.

The fiscal note states the Department of Social and Rehabilitation Services indicates federal Money Follows the Person Grant funds could be used for this type of study. However, the agency is already planning a study that is similar to the one set out in SB 566. The funding for the latter study is \$500,000 from the federal Systems Transformation Grant. This study will assist Social and Rehabilitation Services in determining the cost and what is needed to serve individuals with disabilities whose needs may not be met at this time.