

Testimony of Cheryl Hoberecht with the Pawnee County Health Department to the
Senate Committee on Public Health and Welfare
Opponent on SB 6 • February 13, 2023

Chair Gossage and Members of the Committee:

Thank you for the opportunity to supply written testimony in opposition to Senate Bill 6 regarding restrictions on the authority of the secretary of the Kansas Department of Health and Environment (KDHE) and local health officers to prevent the introduction and spread of infectious or contagious diseases. As a local health department, we are very concerned with the ability to control and prevent disease spread in our community.

While there is a lot to dislike in SB 6, I want to narrow in on how the bill focuses on removing the authority from local health officers to issue orders. As a reminder, the Kansas Legislature (during the 2020 Special Session via HB 2016) already took steps to ensure elected officials have clear oversight on the orders of local health officers. Nonetheless, SB 6 wants to go around that local oversight and just outright remove local health officer abilities. Namely:

- SB 6 modifies K.S.A. 65-119 and takes away the ability of the local health officer to prohibit public gatherings, when necessary, for disease control.
- SB 6 modifies K.S.A. 65-129b so that local health officers can no longer order individuals who have been exposed to an infectious or contagious disease to seek appropriate and necessary evaluation and treatment or go into isolation and quarantine (instead making those mere recommendations).
- SB 6 modifies K.S.A. 65-202 to reduce the standard for local health officers to use all known measures to prevent the spread of infectious, contagious, or communicable diseases to lower “medically necessary and reasonable” measures.

Protecting the health and safety of Kansans is our top priority, and the ability to prevent the spread of infectious and contagious diseases is a critical approach to achieving that priority. SB 6 undermines this by changing the role of the local health officer substantially, depleting it of the authority to combat disease. If projections are correct, we will see more pandemic like disease, and some could even be more deadly. The scariest part for me is if the United States would have an Ebola outbreak. As such, the Pawnee County Health Department opposes SB 6.

Sincerely,

Cheryl Hoberecht RN, Administrator, Health Officer

Pawnee County Health Department