

Honorable Beverly Gossage
Chair, Senate Committee on Public Health and Welfare
Kansas Capitol, Room 142 South
Topeka, Kansas 66612

Re: Opposition written testimony, HB2264

Dear Chairwoman Gossage and Committee:

I am a resident of Louisburg and I am offering this testimony to express my opposition to HB2264 as it was amended by the House Health Committee.

Originally, HB2264 attempted to address the concerns of patients in care facilities and their families that arose during the Covid-19 restrictions. As we all know, various patients were excluded from family and others based upon policies of dubious validity enforced by various health facilities. Time has shown that most of those restrictions provided no benefit while denying many patients and their families the need to see their loved ones, many for the last time. These restrictions also prevented patients from observing and advising as to the care their loved ones were receiving. I would submit many of these facilities preferred not to have these extra eyes on many of these situations.

While the original HB2264 offered some assurance that no patient “would be left alone” the House Health Committee essentially gutted this bill. First, the facility is no longer required to establish visiting procedures but is given the option to set up procedures to further visitation between patient and visitors. Additionally, the facility can now require protective equipment, like masks, if they so choose.

Second, the amended bill allows the facility to avoid unpleasant issues if it believes that there is a federal law or even federal “guidance” that could conflict with any of the rules providing for visitation or if it could jeopardize their reimbursement of fees from the federal government. After the performance of these providers over the last three years, does anyone believe that this will not simply give them a license to continue previous practices?

Third, should a patient take exception with the treatment by these facilities regarding visitation, the amended bill restricts the right to seek court redress unless the actions of the facility constitute gross negligence! This essentially takes away any chance for liability on a facility that claims it was acting out of concern for complying with federal guidance or concern for getting paid by the government.

I urge you to oppose HB2264 if it contains the amendments from the House Health Committee. Pass legislation that encourages visitation, not restricts it.

Respectfully,
William Mize
Louisburg