

**Testimony of Lawrence-Douglas County Public Health to Senate Public Health and Welfare
Written Opponent Testimony for SB 391 | February 15, 2024**

Chairwoman Gossage and members of the committee:

Thank you for allowing Lawrence-Douglas County Public Health (LDCPH) to provide written opponent testimony on SB 391, which would enact a constitutional “right to health freedom act”, would regulate the activities of the secretary of health and environment related to public health functions and would repeal statutes relating to the secretary’s authority. LDCPH serves Lawrence and Douglas County residents and works to create abundant health and equitable opportunities for good health.

LDCPH supports the current statutes and regulations that govern the Secretary of Health and Environment. By removing the authority of the secretary, Kansas would be setting a dangerous precedent that could put communities in Kansas at risk of contracting deadly diseases. For example, in Kansas were to experience an outbreak of Measles, which is highly contagious, the state would lose life-saving time in fighting the outbreak waiting for a decision from the legislature, putting hundreds of Kansans at risk of death or serious complications of Measles. Measles is much more contagious than COVID-19, with 9 out of 10 exposures resulting in Measles cases, according to the CDC. ¹ Implementing this bill could cause significant negative and unintended consequences for the health of Kansans and Douglas County, including increased disease spread, legal ramifications, and death.

Current statute allows for local health officers and the secretary to require quarantine for infectious diseases where needed. While most local health officers highly encourage quarantine, they do not always force individuals to stay home. For example, from 2015-2023, Douglas County had an outbreak of Mumps that infected 18 people. Many of those individuals were highly encouraged to stay home, but there were *no confirmed quarantine dates* for the 18 people over that period. This data shows that local health departments and local health officers have established processes for curtailing diseases. It also reflects that health departments and local health officers apply powers to quarantine very conservatively and responsibly, and only as a last resort to protect the health of the public. By removing these statutes, we would be placing authority in the hands of those who do not understand how diseases spread.

Lawrence-Douglas County Public Health encourages you to consider the unintended consequences of SB 391 and vote no on this bill.

Thank you,



Jonathan Smith
Director
Lawrence-Douglas County Public Health

¹ <https://www.cdc.gov/measles/contagious-infographic.html>



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