

February 12, 2024

Testimony to the Senate Public Health and Welfare Committee

NAME: **Leslie D. Mark**

TITLE: **Kansas Citizen / Voter**

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BILL NUMBER: **SB391, *A bill enacting the constitutional right to health freedom act to regulate the activities of the secretary of health and environment related to public health functions; repealing statutes relating to the secretary's authority to quarantine individuals and impose associated penalties.***

PROPONENT, OPPONENT, or NEUTRAL: **Opponent**

ORAL or WRITTEN ONLY TESTIMONY: **Written Only**

Dear Chair Gossage and Members of the Committee,

Just as in parallel testimony I have submitted on a parallel bill, SB391 is a monstrosity masquerading as health and welfare legislation — posing significant threat to our state's citizens' health and well-being.

It is not just that SB391 limits the authority of local health officers and impacts crucial statutes related to disease prevention, it would allow disease to spread freely, likely overwhelming budgets and causing unnecessary deaths.

This is all the more shocking because effective and well-functional law is currently on the books!

- Carriers of SB391 would stop the Health Secretary from intervening with quarantine options in a disease outbreak where local boards of health or local health officers refuse to take action by abolishing K.S.A. 65-126.
- Carriers of SB391 would remove any penalty provisions for those who violate various disease statutes — like those violating orders of quarantine — by abolishing K.S.A. 65-127.
- Carriers of SB391 would erase any penalties for those who break the rules and regulations for disease prevention or leave their isolation / quarantine without the local health officer's consent, by abolishing K.S.A. 65-129.
- Carriers of SB391 would upend experts by removing the authority of local health officers and the KDHE secretary to issue formal orders of isolation and quarantine. It would also challenge legal remedies currently available for those who might contest such orders, by abolishing K.S.A. 65-129c.

A new year. A new irresponsible bill. VOTE NO on SB 391.



Leslie D. Mark
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