

SESSION OF 2023

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2408

As Recommended by House Committee on
Health and Human Services

Brief*

HB 2408 would exempt adult care homes from statutes governing barbering and cosmetology facilities.

Exemptions

The bill would exempt adult care homes and long-term care units of medical care facilities from:

- Making application to establish a salon or clinic with the Board of Cosmetology;
- Paying the new salon or clinic license fee;
- Submitting to inspection of equipment as to safety and sanitary condition of the premises;
- Holding a salon or clinic license as issued by the Board of Cosmetology; and
- Submitting to inspection by the Board of Barbering.

Definitions

The bill would define “adult care home” as any nursing facility, nursing facility for mental health, intermediate care facility for people with intellectual disability, assisted living facility, residential healthcare facility, home plus, boarding

*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>

care home, and adult day care facility, all of which are classifications of adult care homes and are required to be licensed by the Secretary for Aging and Disability Services.

The bill would define “medical care facility” as a hospital, ambulatory surgical center or recuperation center, except that “medical care facility” would not include a hospice that is certified to participate in the Medicare program and that provides services only to hospice patients.

The bill would also make technical changes.

Background

The bill was introduced by the House Committee on Health and Human Services at the request of Representative Barth.

House Committee on Health and Human Services

In the House Committee hearing, **proponent** testimony was provided by representatives of LeadingAge Kansas and the Kansas Department for Aging and Disability Services (KDADS), who generally stated the bill represents a compromise between KDADS and the Board of Cosmetology and would reduce regulations for adult care homes, who are routinely inspected by KDADS to ensure areas used for cosmetology purposes are clean and meet basic regulatory requirements.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Board of Cosmetology currently inspects approximately 200 salons and clinics in adult care homes. The bill would exempt the salons and clinics from

receiving inspections as well as having to pay the \$50 annual renewal fee. The loss in renewal fees would reduce the Board of Cosmetology's fee revenue by \$10,000, specifically reducing revenue to the Cosmetology Fee Fund by \$9,000 and the State General Fund by \$1,000. The Board of Cosmetology would also experience a reduction in inspection expenditures but is unable to estimate the fiscal effect.

The Board of Barbering indicates since it does not have any shops, schools, or colleges in adult care homes or long-term care units, the bill's provisions would not have a fiscal effect on the Board. The Department of Health and Environment indicates the bill would not have a fiscal effect. Any fiscal effect associated with the bill is not reflected in *The FY 2024 Governor's Budget Report*.

Adult care homes; long-term care; board of cosmetology; board of barbering