



**To: Representative Will Carpenter, Chair, and Members, House Health and Human Services**

**From: Kylee Childs, Director of Government Affairs, LeadingAge Kansas**

**Date: February 17, 2025**

LeadingAge Kansas is the state association for not-for-profit and mission-focused aging services. We have 150 member organizations across Kansas, which include not-for-profit nursing homes, retirement communities, hospital long-term care units, assisted living, home plus, senior housing, low-income housing, home health agencies, home and community-based service programs, PACE and Meals on Wheels. Our members serve more than 25,000 older Kansans each day and employ more than 20,000 people across the state.

#### **Proponent Testimony for HB2316**

CMS-certified nursing homes have a civil monetary fund distributed by the federal government for:

1. Resident quality of life and care improvement
2. Staff training and development
3. Technology and equipment
4. COVID-19 and infection control
5. Specialized programs

Currently, state-licensed-only facilities (excluding CMS-certified nursing homes) lack access to similar grant funds. Creating such a fund would enhance resident care. Given the smaller scale, we propose two amendments:

1. Specify that this fund is exclusively for adult care homes, excluding CMS-certified nursing facilities and nursing facilities for mental health (per KSA 39-923), to prevent nursing homes from accessing both funds.

*"All moneys credited to the adult care homes civil monetary penalty reinvestment fund shall be used by the Kansas department for aging and disability services exclusively for grants awarded to current licensees under K.S.A. 39-923 et seq., excluding nursing facilities and nursing facilities in mental health as defined in KSA 39-923 that are certified with the Centers for Medicare and Medicaid, and amendments thereto..."*

2. Redirect adult care home licensing fees to this reinvestment fund to ensure sustainable funding, given the lower CMP amounts issued to state-licensed facilities. KDADS confirmed these fees currently support surveyor salaries and administration, but redirecting them would have minimal fiscal impact.

*Section 2. K.S.A. 39-930 is hereby amended to read as follows:*

*K.S.A. 39-930. (a) The fee for license to operate an adult care home shall be a base amount plus an additional amount for each bed of such home which shall be paid to the secretary for aging and disability services before the license is issued. The fee shall be fixed by rules and regulations of the secretary for aging and disability services. The amount received for the license fee shall be deposited in the state treasury in accordance with K.S.A 75-4215, and amendments thereto, and shall be credited to the adult care homes civil monetary reinvestment fund, which is hereby created in the state treasury and which shall be administered by the Kansas department for aging and disability services.*

*(b) If the evaluation and inspection was made by a county, city-county or multi county health department at the direction of the secretary for aging and disability services and the papers required are completed and filed with the secretary, then the amount equal to 40% of the fee collected shall be paid to such county, city-county or multicounty health department. If a facility has a change of administrator after the commencement of the licensing period, the fee shall be \$15 and shall be deposited in the state treasury and credited to the adult care homes civil monetary reinvestment fund.*

*(c) All expenditures from the state licensure fee fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary for aging and disability services or by the secretary's designee.*

We believe this fund can help our state licensed only adult care homes with enhancing quality care, encouraging innovation in care, address financial constraints, incentivize compliance, and strengthen workforce development.

We are supportive of the passage of HB2163 with our proposed amendments. Thank you for the opportunity to testify and I am available for questions at the appropriate time.