

**Testimony by Charlie Hunt with the Johnson County Department of Health & Environment (JCDHE) to
House Committee on Health and Human Services
Written Opponent for SB 29 – March 7, 2025**

Chairman Carpenter and Members of the Committee,

Thank you for the opportunity to provide written testimony in opposition to Senate Bill 29, a bill which seeks to remove the authority of the county or joint board of health or local health officer to prohibit public gatherings when necessary for the control of infectious or contagious disease. JCDHE's mission is to promote and protect the health and environment for all who live, work and play in Johnson County.

We have two main concerns with the bill:

- 1) The local health officers in Kansas are appointed by the respective local board of health, which in most counties is comprised of the board of county commissioners (more on that in point #2). If the board of county commissioners disagrees with a course of action that the local health officer wants to take, and the local health officer refuses to adjust their approach, the board can replace the local health officer. There is a direct accountability chain, and as such, we do not see any issue with this authority continuing to exist with a local health officer.
- 2) Even if one were to take issue with an unelected official like a local health officer being able to prohibit a public gathering, why also remove the ability for a county or joint board of health? In almost all counties, including Johnson County, the county board of health is the board of county commissioners, an elected governing body.¹ Removing this ability runs counter to home rule and the accountability county commissioners already have to the voters. If multiple counties, or cities and counties, are working together on public health, they can have a joint board which also answers to elected officials.²

Given accountability already exists to the voters for the boards of county commissioners, and those commissioners wield authority to create joint boards of health (where applicable) or directly appoint local health officers as the county board of health, this bill is in search of a problem to solve. Accountability already exists. Therefore, this bill just complicates public health response.

JCDHE asks that the committee not recommend SB 29 favorably for passage.

Sincerely,

Charlie Hunt, Director
Johnson County Department of Health & Environment

¹ K.S.A. 65-201 states that the board of county commissioners of each county shall act as the county board of health for the county. Source: https://ksrevisor.gov/statutes/chapters/ch65/065_002_0001.html

² K.S.A. 65-205 explains joint boards of health. Source: https://ksrevisor.gov/statutes/chapters/ch65/065_002_0005.html

