



To: Senator Beverly Gossage, Chair, and Members, Senate Public Health and Welfare

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

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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.

Rural Emergency Hospital Model and Adult Care Homes Licensure Waivers

For many years, this legislative body has aimed to increase access to long-term care beds for our state's rapidly growing senior population. Despite efforts to sustain and reduce the number of closures and offline beds due to workforce capacity, other factors continue to exacerbate this issue.

With the introduction of the new federal hospital initiative, Rural Emergency Hospital (REH), it is now a requirement that no inpatient beds be available. This represents a significant change from the Critical Access Hospital model, which allowed for inpatient beds, including those for long-term care units associated with hospitals. While these long-term care units were not licensed under the adult care homes statutes in Kansas, they provided essential care and services, helping seniors remain close to their home communities. With the REH designation requiring no inpatient beds, hospitals transitioning from the Critical Access Hospital model must either close these beds or license the building as an adult care home.

Mercy Hospital's experience highlights a critical issue: long-term care units, often housed in older buildings, may not meet current physical environment regulations but could comply with older standards through a waiver process. Despite the state agency's encouragement to pursue this waiver, Mercy Hospital was told they were ineligible because the building had never been licensed as an adult care home, despite providing long-term care services. The agency shared they needed legislative direction to be able to provide the waiver.

This very issue was brought before the Bob Bethell Joint Committee on Home and Community Based Services and KanCare Oversight and a recommendation was made to introduce a bill directing KDADS to grant physical environment waivers for these REHs providing skilled nursing care.

We respectfully request the committee to pass HB2249. This adjustment will help maintain access to care in rural areas and prevent further closures and relocations for seniors currently receiving services in long-term care units at hospitals transitioning to the REH model. I'm happy to stand for questions at the appropriate time.