



# Kansas

Department on Aging

## **Committee on Aging and Long-Term Care**

**HB 2583**

Joe Ewert, Commissioner

February 7, 2012

# The Problem

- The closing of a Wichita NF this summer brought the issue of sex offenders in nursing homes to attention at KDOA.
- The primary question is of balancing the need to protect a vulnerable nursing home population, while also servicing the long term care needs of aging sexual and violent offenders.
- Sex offenders in nursing homes came under national scrutiny in 2005.

# Other States' Solutions

- Since 2004 14 other states have passed specific legislation relating to sexual offenders in long-term care facilities. The measures include:
  - Notification requirements.
  - Safety assessments, and increased monitoring of offenders.
  - Physical separation of offenders and general nursing home population.
  - Prohibitions on admissions for sexual and violent offenders.
- Oklahoma passed a series of bills, the most recent of which requires the state to request bids for a standalone facility to house offenders. The experience gained through the closing of the Wichita area nursing facility indicates the Oklahoma measures have increased difficulties in placing these individuals in LTC facilities.
- Other states have created workgroups, enacted new policies, held informal discussions, or have taken no action.

# Other States' Solutions

	Required	Not Required
Background Check	IL, LA, MD, VA	AR, CA, MA*, MN, NE, ND, OK, OR, RI, UT
Notification of Residents	IL, MD, MN, ND, UT, VA	AR, CA, LA, MA, NE, OK, OR

*MA\* - Sex offenders are required to self-disclose their status.*

# Moving Forward in Kansas

- In the interests of securing the safest practicable environment for vulnerable populations in nursing homes, KDOA agrees with the premise of this bill which increases awareness among nursing home residents, family members and staff regarding the presence of registered offenders.
- This issue is relatively young for our agency. At this point we do not have definitive recommendations addressing important policy questions concerning this issue.
- KDOA will continue to study this issue, and welcomes the Legislatures participation in this important policy matter.