



**Kansas Advocates
for
Better Care**

913 Tennessee, Suite 2
Lawrence, KS 66044-6904
phone: (785) 842-3088
toll-free: (800) 525-1782
fax: (785) 749-0029
e-mail: info@kabc.org
website: www.kabc.org

BOARD OF DIRECTORS

Evie Curtis
President
Kansas City

Molly Wood
Vice-President
Lawrence

Margaret Farley
Treasurer
Lawrence

Janet Ikenberry
Secretary
Lawrence

Barbara Braa
Lawrence

Jean Krahn
Manhattan

Eloise Lynch
Salina

Jeanne Reeder
Kansas City

Steve Reiner
Lakin

Ellen Samuelson
Newton

Jo Scott
Olathe

Julia T. Wood
Wichita

Linda Wright
Olathe

Honorary Board Member
William A. Dann

EXECUTIVE DIRECTOR
Deanne Bacco

Promoting Quality Long-term Care since 1975

House Bill 2658
an act relating to revising the procedure
for informal dispute resolution (IDR)
of nursing home inspection deficiency reports;
providing for an independent review panel.
2004

Honorable Chairman Morrison and
House Health and Human Services Committee Members:

Kansas Advocates for Better Care (KABC) opposes HB 2658, as written.

The bill fails to improve upon the current system. The proposed committee of three should consist of persons who have knowledge and backgrounds in Federal regulations pertaining to nursing homes, as well as knowledge of professional standards of practice for care delivery in long-term care settings.

The bill is not clear whether the current system would continue to be in effect. If not, then the concept of “informal” dispute resolution is not being maintained. The proposed independent review panel, by nature, becomes a “formal” dispute resolution, since it would be outside the boundary of the regulating entity.

The bill is not clear if the appointed panel members remain the same for a certain (unspecified) duration or if the panel members can vary from time to time. If panel members can vary, then consistency will likely vary.

The bill identifies that none of the panel members shall be employees of KDOA or any agency that does inspections. In a similar manner, the panel members should not be employees or owners of nursing homes.

The frequency of the review panel meetings is not identified in the bill, which greatly influences the cost to the Department on Aging and the satisfaction of nursing homes desiring speedy decisions. Frequent panel meetings will result in a great financial cost to the Department. Infrequent panel meetings will result in nursing home administrator dissatisfaction.

The current IDR system has adequately demonstrated that disputes with deficiencies does result in overturn of some deficiencies, without repercussions to the nursing homes seeking the IDR.

Thank you for this opportunity to provide comments on HB 2658.