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for
Better Care**

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Promoting Quality Long-term Care since 1975

HB 2306

not allowing nursing home inspection reports to be admissible as evidence
in any judicial proceeding
February 2004

Honorable Chairman Morrison and
Health and Human Services Committee Members:

Kansas Advocates for Better Care (KABC) opposes HB 2306.

KABC continues to promote quality long-term care for all residents of licensed adult care homes. One necessary part of being able to promote quality long-term care is the availability of information about licensed care homes, such as nursing homes. K.S.A. 39-935 currently allows any person to see and get copies of nursing home inspection reports and related documents. This is detailed in part "c". **Nursing home reports and related documents are public information according to federal and state law.**

The purpose of House Bill 2306 appears in a new part, shown as part "d". In general, it says "...no inspection report shall be admissible as evidence in any judicial proceeding...". This proposed change is counter and contrary to the intent of part "c" in the current state law.

The federal government website for the Centers for Medicare and Medicaid Services (CMS) provides the information for any and all consumers to view inspection report results, and even more. It is there for viewing and downloading. The proposed change in HB 2306 is counter and contrary to the intent of the federal law.

KABC urges the Committee to NOT pass this bill. Thank you for allowing this testimony.

Deanne Bacco, Executive Director