



**Kansas Advocates  
for  
Better Care**

Promoting Quality Long-term Care since 1975

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**SB 430  
disallowing nursing home inspection reports  
as evidence in any judicial proceeding  
March 17, 2004**

Honorable Chairman Morrison  
and Health and Human Services Committee Members:

Kansas Advocates for Better Care (KABC) is in favor of SB 430 *as amended*

Consumers of licensed adult care homes highly value freedom of information. Information helps consumers make good placement decisions as well as become knowledgeable about deficiencies that occur in 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. Nursing home inspection reports and related documents are public information, according to state law.

We recognize that SB 430 and HB 2306 are similar in nature. Both bills concern the admissibility of nursing home inspection reports as evidence in suits by injured nursing home residents against nursing homes. **Based on K.S.A. 39-935, we oppose any language that allows such limitation of evidence.** It is the duty of district court judges to listen to the facts of a case, and determine whether or not evidence is admissible.

KABC supports SB 430 *only as amended*.

Thank you for allowing this testimony.

Deanne Bacco, Executive Director