

Testimony in Support of House Bill 2867

To: Chairman Jim Morrison and Members,
House Health and Human Services Committee
From: Debra Zehr, Vice President
Date: February 23, 2004

Thank you, Mr. Chairman and Members of the Committee for this opportunity to offer support for House Bill 2867. The Kansas Association of Homes and Services for the Aging (KAHSA) represents 160 not-for-profit nursing homes, retirement communities, hospital long-term care units, assisted living facilities, senior housing and community service providers serving over 15,300 older Kansans every day.

The long-term care provider community is experiencing a liability insurance crisis. What started with skyrocketing lawsuits in Texas, Florida and California has caused increased insurance premiums for liability coverage for Kansas nursing homes by 300% or more, to \$1,000 per bed in some cases. As a result, Medicaid costs are being driven up, residents paying for their own care are being financially stressed with rate increases, and scarce dollars are siphoned away from improving quality care.

House Bill 2867 would create a process by which allegations of medical malpractice are screened by an expert panel appointed by the Commissioner of Insurance prior to commencement of action against a long-term care health care provider. We believe this is a prudent and advisable to institute this process in order to mitigate escalating liability insurance costs, while protecting the rights of persons who have meritorious claims against a health care provider.

Thank you for your favorable consideration of House Bill 2867. I would be happy to answer questions.