

MINUTES OF THE SENATE WAYS & MEANS COMMITTEE.

The meeting was called to order by Chairperson Dave Kerr at 11:00 a.m. on March 10, 2000 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Alan Conroy, Chief Fiscal Analyst, KLRD  
Rae Anne Davis, KS Legislative Research Department  
Debra Hollon, KS Legislative Research Department  
Norman Furse, Revisor of Statutes  
Michael Corrigan, Asst. Revisor of Statutes  
Judy Bromich, Administrative Assistant to the Chairman  
Ronda Miller, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

Senator Jordan moved, Senator Gilstrap seconded, the approval of the March 7<sup>th</sup> minutes. The motion carried on a voice vote.

Senator Salisbury presented the FY 2001 subcommittee report on the **Juvenile Justice Authority** (Attachment 1). In answer to a question regarding item 2 of the report, Commissioner Murray stated that the IBIP program which is located at Forbes Field in Topeka will work to become a Medicaid eligible provider and will provide a different type of service from that of juvenile boot camps.

An issue of concern was the increasing cost to the SGF for health care of juveniles. In answer to a question, a representative of the JJA stated that currently the state plan does not allow the agency to use medical cards for juveniles in facilities, but the agency is working with SRS to see if there are any instances that can be reimbursed through Medicaid. Senator Salisbury noted that these questions need to be addressed to SRS because they are the ones who are determining if that can be done. In answer to Senator Downey, Commissioner Murray stated that the agency explores the possibility of private pay on the front-end.

Members discussed at length the subcommittee's notation of less than optimal communication between the agency and communities (item 11). As the Chairman of the subcommittee, Senator Salisbury stated the notation was included in the report not so much to fault the agency, but to note that there is room for improvement. Members commented on the following issues:

- expectations on the part of the communities that they would have more control in the development of the plan
- questions from various regions about when they would receive the grants
- the communities' tendency to design "Cadillac" plans at a time when the state has budgetary constraints

Senator Salisbury reviewed the FY 2001 subcommittee report on **Juvenile Correctional Facility Issues** (Attachment 2). She stated that no budget adjustments were made in any of the subcommittee reports on the individual juvenile correctional facilities.

Senator Salisbury reviewed the FY 2001 subcommittee report on the **Atchison Juvenile Correctional Facility** (Attachment 3). She called attention to the graph which illustrates that length of stay is back at the same level it was 7 or 8 years ago. Members expressed concern about the tendency to use psychotropic medications to control behavior.

Senator Salisbury reviewed the FY 2001 subcommittee report on the **Beloit Juvenile Correctional**

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**Facility** (Attachment 4), the **Larned Juvenile Correctional Facility** (Attachment 5), and the **Topeka Juvenile Correctional Facility** (Attachment 6). An issue of concern was the staffing level at the Topeka Juvenile Correctional Facility (item 5). The Chairman inquired if it was a mistake to not add 1 or 2 FTE positions rather than pay overtime. The Commissioner stated that he would want the opportunity to evaluate that because of costs associated with benefits, etc. The Chairman asked the Commissioner to report back to the Committee prior to Omnibus about the cost effectiveness of adding 1 or 2 FTE positions at the Topeka Correctional Facility.

Chairman Kerr stated that, in his opinion, the graphs in the subcommittee reports on the individual juvenile detention facilities bring home the fact that overcrowding and shortness of stay drive the recidivism rate up. He said that he believes that the Committee needs to look for ways to find more room for juveniles either through community programs or facilities.

Senator Salisbury moved, Senator Jordan seconded, that the Topeka Correctional Facility subcommittee report be amended to direct the JJA to examine the effectiveness of the use of overtime compensation from both a safety and cost effectiveness standpoint and report to Ways and Means during Omnibus. The motion carried on a voice vote.

Frustration was expressed about having to leave this agency's budget without having resolved the serious problem of overcrowding in the juvenile detention facilities. Some concern was expressed about the agency's ability to produce a list of alternative community programs to which juveniles can be referred. . Senator Salisbury moved, Senator Jordan seconded that the JJA subcommittee report be amended to suggest that the Joint Committee on Juvenile Justice and Corrections conduct an analysis of the alternatives available to judges for sentencing other than juvenile detention facilities.

It was moved by Senator Ranson and seconded by Senator Downey that the Committee reconsider its action on the **Emergency Medical Services** subcommittee report for FY 2001 (Attachment 7). The motion carried on a voice vote.

Senator Ranson moved, Senator Downey seconded, that item 2 of the Emergency Medical Services subcommittee report be amended to reflect the agency's revised receipt estimate from \$31,000 to \$78,000 to fully fund the position. The motion carried on a voice vote.

Senator Salisbury offered a motion which was seconded by Senator Jordan to adopt the FY 2001 subcommittee reports on the Emergency Medical Services Board and the Juvenile Justice Authority as amended. The motion carried on a voice vote.

The FY 2001 subcommittee report on the Department on Aging was presented by Senator Morris (Attachment 8). In response to a question, a representative from the Research Department stated that the agency was awarded \$400,000 in federal grants from the Department of Agriculture in FY 2000, and in FY 2001 that award is subject to availability of those federal dollars (item 3).

It was noted that senior citizens do not have to be Medicaid eligible to receive meal vouchers in the two pilot projects in Englewood, Kansas and Johnson County and contributions are voluntary (item 10).

In answer to a question, a representative from the Department on Aging stated that the FY 2001 budget is adequate to meet the demand of the HCBS for the Frail Elderly program based on projections of anticipated caseloads. She stated that it would be the intention of the Department to deliver services on a priority needs basis if money were an issue.

There was some discussion about bad press associated with meals for the Frail Elderly program. A representative from the agency stated that no current customer will go without a meal this year. She stated the services are coordinated on three levels - the Area Agencies on Aging, KDOA, and the nutrition providers, and the Department would analyze the numbers and provide a consensus of the impact during Omnibus.

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Senator Morris moved, Senator Feleciano seconded that item 6 of the subcommittee report on the Department on Aging be amended by adding \$2.0 million all funds, including \$800,000 from the SGF to reinstate the Protected Income Level of \$687 per month for individuals receiving services through the Home and Community based Services for the Frail Elderly Program. The motion carried on a voice vote.

Senator Morris offered a motion which was seconded by Senator Feleciano to adopt the FY 2001 subcommittee report on the Department of Aging as amended. The motion carried on a voice vote.

The Chairman adjourned the meeting at 12:30 p.m. The next meeting will be March 13, 2000.