

Mandatory Reporters; SB 311

SB 311 adds emergency medical services attendants to the list of mandatory reporters of abuse, neglect, exploitation, or need of protective services as it pertains to a resident or certain adults (as defined in continuing law).

Continuing law defines “resident” and an “adult” when referencing “certain adults,” as specified below.

Definitions of “Resident” and “Adult” in Continuing Law

Continuing law (KSA 2017 Supp. 39-1401) defines a “resident” as any resident, as defined by KSA 2017 Supp. 39-923 (any individual kept, cared for, treated, boarded, or otherwise accommodated in an adult care home), or any individual kept, cared for, treated, boarded, or otherwise accommodated in a medical care facility, state psychiatric hospital, or state institution for people with an intellectual disability.

Additionally, continuing law as it pertains to the abuse, neglect, exploitation, or need for protective services of certain adults (KSA 2017 Supp. 39-1430) defines an “adult” to mean an individual 18 years of age or older alleged to be unable to protect the individual’s own interest and who is harmed or threatened with harm, whether financial, mental, or physical in nature, through action or inaction by either another individual or through their own action or inaction when residing in the person’s own home, the home of a family member, or the home of a friend; residing in an adult family home; or receiving services through a provider of community services and its affiliates operated or funded by the Kansas Department for Children and Families, the Kansas Department for Aging and Disability Services, or a residential facility licensed pursuant to statutes pertaining to providers of disability services.

The above definition of “adult” excludes residents as defined in KSA 39-1401 *et seq.*