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Healthy People Build Strong Communities

Testimony by Dennis Kriesel with the Kansas Association of Local Health Departments (KALHD) to

Senate Committee on Public Health and Welfare

Written Opponent for SB 234 • March 21, 2023

Chair Gossage and Members of the Committee,

Thank you for the opportunity to provide written testimony in opposition to Senate Bill 234 prohibiting governmental entities from sharing or transmitting social care information into a closed loop referral system. KALHD is a nonprofit association dedicated to strengthening local health departments for the purpose of improving and protecting the health of all Kansans.

KALHD has a couple of concerns with SB 234 and the negative impacts it could have:

- SB 234 specifies a requirement that individuals provide consent on each instance of a referral. Our concern is this could be very burdensome for both clients and local health department staff as a client would need to be re-contacted to submit yet another consent form when trying to initially get them referred to a social care provider (as potential providers might decline the referral for capacity reasons, for instance, requiring multiple entities to be approached to assist the client). This is our primary concern with the bill.
- SB 234 also has language impacting participating organizations requiring they restrict/prohibit access to individual social care information with any employee not necessary for the provision of services. We are concerned that this may have an impact on tangential employees who might not provide services to the individual but are critical to maintaining the closed-loop system or related software that communicates with it. Existing requirements on keeping such information confidential appear to be sufficient as-is and we worry SB 234 might cause some unforeseen issues with its strict mandates relating to restricted access.

Reading through SB 234 we are not sure what this bill is trying to solve. Personal, health-related data already has a lot of legal protections (e.g., HIPAA).

KALHD believes SB 234 would put in place unnecessary barriers to connecting clients to social care services they may need. As KALHD believes coordinated solutions are necessary to address gaps in social determinants of health, we think SB 234 would put up roadblocks to this important work. As such, we ask the committee to not recommend SB 234 favorably for passage.

Thank you.

Sincerely,

Dennis Kriesel

Executive Director, Kansas Association of Local Health Departments