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Healthy People Build Strong Communities

Testimony on SB 390

Submitted To

The Senate Public Health and Welfare Committee

By

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Kansas Association of Local Health Departments (KALHD)

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On behalf of the Kansas Association of Local Health Departments (KALHD) and our 100 member Health Departments, I appreciate the opportunity to provide this testimony on Senate Bill 390. We are an opponent of this bill.

This bill proposes to enact the conscientious right to refuse act. Under this act, individuals who refuse certain specified medical care would have a civil cause of action against businesses, healthcare entities, schools and individual persons whom the person who refused care believes to have discriminated against them based upon that refusal. In addition, this bill would repeal the authority of the Secretary of the Kansas Department of Health and Environment (KDHE) to quarantine an area (K.S.A. 65-126), related penalties (K.S.A. 65-127 and 65-129) and procedures for such orders (K.S.A. 65-129c).

In repealing the current authority of the Secretary of KDHE, this bill provides no new or alternative strategies for the Secretary and local health officials to mitigate the spread of infectious or contagious diseases. In effect, the laws in Kansas would be to do nothing, while establishing a policy framework that could negatively impact the health of individuals in the community. This policy would also infringe upon the rights of employers to determine what is best for health and safety of their customers and workforce. While creating the potential to increase the costs of every private and public employer through increased insurance rates, legal fees to defend them from these causes of action, and other general operating costs. All of which would be passed along to the consumer in the form of increased prices for goods and services and higher taxes.

I encourage you to conclude, as I have, that this bill will not improve any future disease response and takes unnecessary risks to the health of us all and to our economy in an effort to alleviate the concerns of the proponents. And when you conclude this hearing, please do not schedule any further consideration or action on this bill or others like it.

Thank you for the opportunity to contribute to this discussion.