

House Bill 2323

Before the Senate Public Health and Welfare Committee
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Chairman Barnett and members of the Committee, I am Joann Corpstein, Chief Counsel for the Kansas Department on Aging. The KDOA thanks you for this opportunity to comment on HB 2323. HB 2323 proposes to amend the adult care home and home health agency background check statutes by adding felony theft to the list of crimes that have a five-year ban. This means if a non-licensed person applies for a position with an adult care home or home health agency and has a felony theft conviction; a minimum of five years must have passed since the imposed sentence has been completed. Currently, the list of prohibitive and 5-year ban crimes consists of crimes against persons.

Theft is the most prevalent finding on background checks of applicants seeking to work in adult care homes and home health agencies. As part of our regulatory responsibilities, KDOA is responsible for prosecuting abuse, neglect and exploitation of adult care home residents by non-licensed staff. Unfortunately, we do see theft of residents' possessions by non-licensed staff. Adding felony theft to the five-year ban would reduce the number on individuals who have such a conviction from working in an adult care home or home health agency for a minimum of five years since completion of their sentence.

The Governor's Council on Abuse, Neglect and Exploitation also recommended adding theft to the list of prohibitive crimes.

We also support the amendments that would allow adult care homes and home health agency operators the discretion to request background checks on licensed and registered staff and volunteers. Under the current statutes, only non-licensed staff is required to have background checks. This option will allow adult care home and home health agency management additional information when making hiring decisions.

The Kansas Department on Aging respectfully requests the committee act favorably on HB 2323.

I'll be happy to answer any questions the committee may have.