



To: Representative Fred Patton, Chair and Members, House Judiciary Committee
From: Rachel Monger, Vice President of Government Affairs, LeadingAge Kansas
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Neutral Testimony on House Bill 2153

LeadingAge Kansas is the state association for not-for-profit and faith-based aging services. We have 160 member organizations across Kansas, which include not-for-profit nursing homes, retirement communities, hospital long-term care units, assisted living, homes plus, senior housing, low-income housing, home health agencies, home and community-based service programs, PACE and Meals on Wheels. Our members serve more than 25,000 older Kansans each day and employ more than 20,000 people across the state.

We are submitting neutral testimony on House Bill 2153 because we support enhanced penalties for any type of mistreatment or abuse of Kansas elders, however we do not understand why adult care home residents are being singled out from all other vulnerable adults and their care settings.

According to the available research on elder abuse as well as the National Center on Elder Abuse, adult care home settings are the least likely place for elder abuse to occur. The uncomfortable truth is that the vast majority of abuse is perpetrated by those closest to the elder, such as family members and friends. There is no research we have encountered that shows abuse is more likely or more severe in an adult care home than in other settings such as state hospitals, group homes, community-based settings or in-home care situations.

Unlike other settings for vulnerable adults, adult care homes have very strict training requirements, very strict oversight and reporting protocols, and very severe penalties for failing to detect or report abuse incidents. And unlike any other health care settings, we even have a state law requiring adult care homes to allow residents and their families to electronically record everything that goes on in the resident's room, every minute of the day. The public and investigators hear more about abuse incidents in adult care homes not because it occurs more frequently, but because we have systems that work to uncover abuse and make sure it is reported, investigated and prosecuted.

Under the Mistreatment of a Dependent Adult statute the definition of a dependent adult includes people who live in a variety of care settings for equally vulnerable adults. Those settings include:

- Adult care homes
- Medical care facilities
- Community or residential facilities for people with intellectual or developmental disabilities
- Community service programs and services for people with intellectual or developmental disabilities
- State psychiatric hospitals
- State institutions for people with intellectual disabilities

If penalties are to increase for people experiencing abuse in residential and institutional settings, we believe that the enhanced penalties should cover vulnerable adults in **all** of those settings.