

{As Amended by House Committee of the Whole}

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Session of 2024

HOUSE BILL No. 2777

By Committee on Health and Human Services

Requested by Representative Bergquist on behalf of Representative Landwehr

2-8

Proposed amendment to HB 2777 AAHCW
For Senate Committee on Public Health and Welfare
Office of Revisor of Statutes
March 14, 2024

AN ACT concerning health and healthcare; relating to ~~patient~~ {licensed} care facilities; prohibiting the state fire marshal and the marshal's representatives from wearing or operating a body camera during an on-site inspection at a ~~patient~~ {licensed} care facility.

Be it enacted by the Legislature of the State of Kansas:

(1)

Section 1. (a) "The state fire marshal and any of the marshal's representatives shall not wear or operate a body camera or other audio or video recording device during an on-site inspection of a ~~patient~~ {licensed} care facility or community-based locations where individuals with intellectual and developmental disabilities receive individually planned habilitation services as provided in K.S.A. 39-1804, and amendments thereto.

(b) As used in this section:

(1) "Body camera" means the same as defined in K.S.A. 45-254, and amendments thereto; and

(2) "~~patient~~{licensed} care facility" includes ~~any~~ a {child care facility as defined in K.S.A. 65-503, and amendments thereto, } a qualified residential treatment program as defined in K.S.A. 38-2202, and amendments thereto, a psychiatric residential treatment facility as defined in K.S.A. 39-2002, and amendments thereto, secure facilities as defined in K.S.A. 38-2202, and amendments thereto, shelter facilities as defined in K.S.A. 38-2202, and amendments thereto, youth residential facilities as defined in K.S.A. 38-2202, and amendments thereto, an adult care home as defined in K.S.A. 39-923, and amendments thereto, and ~~any~~ a medical care facility as defined in K.S.A. 65-425, and amendments thereto, except that "~~patient~~{licensed} care facility" includes a hospice that is certified to participate in the medicare program under 42 C.F.R. § 418.1 et seq.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

(2) Nothing in paragraph (1) shall be construed to prohibit the state fire marshal from collecting evidentiary photographic images of any violations discovered by the state fire marshal or the state fire marshal's designee during an inspection or investigation.