

To: Rep. Bob Bethell, Chair, and Members,  
House Aging and Long-Term Care Committee  
From: Rachel Monger, Director of Government Affairs  
Date: February 14, 2012

### **House Bill 2656**

Thank you, Chairman Bethell and Members of the Committee. I am Debra Zehr, the Executive Director and CEO for LeadingAge Kansas, formerly known as KAHSA. Our 160 members include not-for-profit nursing homes, retirement communities, hospital long-term care units, assisted living and residential health care residences, homes plus, low income housing, licensed home health agencies and other community based service programs throughout Kansas.

We appreciate the opportunity to once again speak to you about the Adult Protective Services program. As we recently heard in testimony, there has been widespread frustration regarding the lack of responsiveness and effectiveness from the program in addressing elder abuse issues. The new leadership at Adult Protective Services has assured us that, although unable to stick to the timeline they promised all of us last year, they are committed to improving the program and working with stakeholders.

Our members would like to believe in such promises. However they, and the elders they serve, can no longer afford to put trust in the promises made by this program. The problems in the APS system, acknowledged and apologized for by agency leadership, are not new. We, along with other stakeholders, have been trying to bring attention to these problems for many years.

Therefore, if Committee Members decide not to pass HB 2656 we ask that you consider a directed plan of correction for the APS program to follow, with specific deadlines and periodic progress updates.

As we outlined in our testimony two weeks ago, in the aging services field, when deficient practices and inadequate systems are identified, providers are required to submit to regulators a detailed "Plan of Correction" by a certain date. You, as a

Committee, could require that APS officials submit a plan of correction to you that include such things as:

- A statement of problems or deficient practices in the program
- Measures that the program will put in place to correct those problems
- A timeline for implementation
- How the program will monitor its performance to make sure that solutions are sustained
- Submit recommendations to the Committee for statutory or regulatory changes that they believe will facilitate increased responsiveness and effectiveness of the program.

We believe continued oversight by this Committee will benefit APS, stakeholders and vulnerable adults across Kansas. It would also head off the potential problem of APS leadership coming to this Committee next January with new promises, excuses and requests for time.

Once again, we appreciate the Committee's attention to such an important issue. We hope that such attention will continue, and appreciate the opportunity to voice our ideas and concerns.

Thank you. I would be pleased to answer questions.