

HB2199

February 18, 2021

Nick Reinecker

Neutral

House Federal And State Affairs      Chairman: Rep. John Barker

Thank you Mr. Chairman and members of the committee for allowing me to speak. My reason for neutral testimony to HB2199 is to address my concern about how money is used from gambling revenue of any form or definition. Since 2007, with the creation of the Problem Gambling and other Addictions Grant Fund, portions of this fund have been diverted to offset medicaid match funds for the behavioral health system, as well as other purposes. I choose not to opine on the authorization of sports wagering, only the fiscal ripple that would need to be appropriately addressed.

### **Accountability**

There are many ways "bean counters" can perform "common core" math tricks with shrinkage rate manipulation, consensus estimate and revenue projections, and the questionable platform of the Economic Development Initiative Fund. My concern with the creation of new accounts including the white collar crime fund and scholarship fund, is the dilution of accountability when it comes to outcome measures and performance based budgeting. This includes fully understanding, with transparency, data and information on available Block Grant vouchers, KDADS AAPS grants, Problem Gambling services grants and other Domestic Violence and Child Advocacy awards from the Governor's office, including performance measurements and out of state expenditures; quantity, type, money awarded, recipient, outcome, etc.

### **Understanding**

More understanding of the DSM-V as a one axis proprietary nosological referral source for clinicians involved in Substance Use Disorder and Mental Health diagnosis authority and the unintended consequences of statutory use is needed. The Diagnostic and Statistical Manual has gone through a major revision that has changed basic definitions and processes and attempts to harmonize itself with the International Classification of Disease manual, amounting to the ultimate in heuristic mental health parity where an exploding appendix is the same as an explosive ego. The DSM-V includes a cautionary statement in the use of forensics and the need for context when dealing with human normalities and the desire to medicalize people outside of an arbitrary and narrow bell curve, or all of us, rudimentary speaking. The reliance on this manual in statutory and regulatory realms will result in added social costs of diagnostic inflation exacerbating the over-medication of adult and children alike using what could be essentially labeled for some, as taxpayer funded synthetic chemical restraints along with other general discrimination, including second amendment violations. Indicatively speaking, those who are receiving treatment for 'problem gambling or other addictions' do not reflect the number, according to criteria of the DSM-V, who are in "need" of treatment. This inflation will cost a lot of money considering only the Problem Gambling side of things if 48000 Kansans have a problem gambling disorder in need of MAT and/or counseling and further co-occurring

diagnosis. This then becomes a discretionary clinical opinion question involving not only the science of "box check off" but also the art of a promised do-no-harm bias and education/experience level of and with a secure doctor patient relationship, regardless of social workers. This awareness will allow the legislature including this body, to execute proper stewardship with money used to protect the safety and health of the individual consumer and the Kansas taxpayer alike. Besides, if you go by some 'health expert' espousing this system they will likely say no to the whole thing and definitely not until age 24.

Understanding the DSM-5: What every teacher needs to know  
<https://www.youtube.com/watch?v=9OhVshzYvn8>

## Overreach

Role of Sheriff

Section 36

## Before

[79-4806. Transfers to problem gambling grant fund. On July 1 of each year or as soon thereafter as sufficient moneys are available, \\$80,000 credited to the state gaming revenues fund shall be transferred and credited to the problem gambling grant fund\\* established by K.S.A. 79-4805, and amendments thereto.](#)

[History: L. 2000, ch. 173, § 22; July 1.](#)

[\\*Reference should be to "problem gambling and addictions grant fund." asterik in statutes?](#)

## After

*K.S.A. 79-4806 is hereby amended to read as follows: 79-4806. On July 1 of each year or as soon thereafter as sufficient moneys are available, **\$100,000** credited to the state gaming revenues fund shall be transferred and credited to the problem gambling **and addictions** grant fund established by K.S.A. 79-4805, and amendments thereto*

## Reference

K.S.A. 79-4805. Problem gambling and addictions grant fund.

(a) There is hereby established in the state treasury the problem gambling and addictions grant fund. All moneys credited to such fund shall be used only for the awarding of grants under this section. Such fund shall be administered in accordance with this section and the provisions of appropriation acts.

(b) All expenditures from the problem gambling and addictions grant fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved in the manner prescribed by law.

(c) (1) **There is hereby established a state grant program to provide assistance for the direct treatment of persons diagnosed as suffering from pathological gambling and to provide funding for research regarding the impact of gambling on residents of Kansas. Research grants awarded under this section may include, but need not be limited to, grants for determining the effectiveness of education and prevention efforts on the prevalence of pathological gambling in Kansas. All grants shall be made after**

open solicitation of proposals and evaluation of proposals against **criteria established in rules and regulations adopted by the secretary of the Kansas department for aging and disability services**. Both public and private entities shall be eligible to apply for and receive grants under the provisions of this section.

**(2) Moneys in the problem gambling and addictions grant fund may be used to treat alcoholism, drug abuse and other addictive behaviors.**

(d) The secretary for aging and disability services is hereby authorized to receive moneys from any grants, gifts, contributions or bequests made for the purpose of funding grants under this section and to expend such moneys for the purpose for which received.

(e) All grants made in accordance with this section shall be made from the problem gambling and addictions grant fund. The secretary shall administer the provisions of this section and shall adopt rules and regulations establishing criteria for qualification to receive grants and such other matters deemed necessary by the secretary for the administration of this section. Such rules and regulations shall include, but need not be limited to, **a requirement that each recipient of a grant to provide treatment for pathological gamblers report at least annually to the secretary the grantee's measurable achievement of specific outcome goals.**

**(f) For the purpose of this section "pathological gambling" means the disorder by that name described in the most recent edition of the diagnostic and statistical manual.**

(g) On the effective date of this act the director of accounts and reports shall transfer all moneys in the problem gambling grant fund to the problem gambling and addictions grant fund. Thereupon the problem gambling grant fund shall be and is hereby abolished.

History: L. 2000, ch. 173, § 20; L. 2007, ch. 110, § 55; L. 2014, ch. 115, § 435; July 1.

**Maintenance of effort regarding State expenditures Just say NO to supplantation**

[https://www.ecfr.gov/cgi-bin/text-idx?SID=49b74c5d17fd2818fb5ce51ede6132a7&mc=true&node=se45.1.96\\_1134&rgn=div8](https://www.ecfr.gov/cgi-bin/text-idx?SID=49b74c5d17fd2818fb5ce51ede6132a7&mc=true&node=se45.1.96_1134&rgn=div8)

**Substance Abuse Prevention and Treatment Block Grant edict prohibiting cannabis ONMS**

[https://www.kdads.ks.gov/docs/default-source/csp/block-grant/other/kansas-marijuana-attestation.pdf?sfvrsn=d59905ee\\_2](https://www.kdads.ks.gov/docs/default-source/csp/block-grant/other/kansas-marijuana-attestation.pdf?sfvrsn=d59905ee_2)

**Problem Gambling and Addictions Grant Fund 2012-2022 Gov Rec**

[http://www.kslegislature.org/li/b2021\\_22/committees/ctte\\_s\\_fed\\_st\\_1/misc\\_documents/download\\_testimony/cte\\_s\\_fed\\_st\\_1\\_20210209\\_01\\_testimony.html](http://www.kslegislature.org/li/b2021_22/committees/ctte_s_fed_st_1/misc_documents/download_testimony/cte_s_fed_st_1_20210209_01_testimony.html)

**News Perspective**

**<https://www.leavenworthtimes.com/news/20190810/kansas-lottery-transfers-record-173-million-to-state-treasury>**

**1115 Waiver "Pain as a fifth vital sign" era opioid use "crisis"**

[https://www.kdads.ks.gov/docs/default-source/csp/providers/sud-imd-exclusion/kansas-sud-imd-exclusion-implementation-plan.pdf?sfvrsn=fd5905ee\\_4](https://www.kdads.ks.gov/docs/default-source/csp/providers/sud-imd-exclusion/kansas-sud-imd-exclusion-implementation-plan.pdf?sfvrsn=fd5905ee_4)

**Professional Counselor licensing BSRB 2019 Change of Referral Source to DSM-V**

[http://www.kslegislature.org/li/b2021\\_22/statute/065\\_000\\_0000\\_chapter/065\\_058\\_0000\\_article/065\\_058\\_0004a\\_section/065\\_058\\_0004a\\_k/](http://www.kslegislature.org/li/b2021_22/statute/065_000_0000_chapter/065_058_0000_article/065_058_0004a_section/065_058_0004a_k/)

**Senate Public Health and Welfare 02/09/21 Andy Brown KDADS Behavioral Health Commissioner Block Grants**

<https://www.youtube.com/watch?v=DiqTQZyysYA>

**Senate Public Health and Welfare 02/11/21 Deb Stidham KAAP**

<https://www.youtube.com/watch?v=S--1SqoTSFU>

**FY 2021 Substance Abuse Block Grant Report: Kansas Ingredients**

[https://www.kdads.ks.gov/docs/default-source/csp/bhs-documents/block-grant/public-comment/fy2021-substance-abuse-block-grant-draft-for-public-comment.pdf?sfvrsn=748e01ee\\_2](https://www.kdads.ks.gov/docs/default-source/csp/bhs-documents/block-grant/public-comment/fy2021-substance-abuse-block-grant-draft-for-public-comment.pdf?sfvrsn=748e01ee_2)

**Kansas Substance Use Reporting System (replaced kctc) Questionnaires**

<https://www.kdads.ks.gov/provider-home/providers/ksurs>

**Psychiatric diagnosis 'scientifically meaningless' Different Perspective**

<https://www.sciencedaily.com/releases/2019/07/190708131152.htm>

**Beacon- Block grant \$\$\$\$ CKF SASSI**

<https://kansas.beaconhealthoptions.com/about-us/>

**Block Grant Policies AAPS NEED MORE INFO**

<https://www.kdads.ks.gov/provider-home/providers/policies-and-regulations>

**Process Improvements for the Kansas Client Placement Criteria (KCPC) System Manual Workaround Questionnaires, tests, assessments etc. Unconstitutional prevention?**

[https://www.kdads.ks.gov/docs/default-source/csp/draft-policies/process-improvements-for-the-kansas-client-placement-criteria-\(kcpc\)-system-manual-workaround.pdf?sfvrsn=74ae04ee\\_2](https://www.kdads.ks.gov/docs/default-source/csp/draft-policies/process-improvements-for-the-kansas-client-placement-criteria-(kcpc)-system-manual-workaround.pdf?sfvrsn=74ae04ee_2)

**The History of Mental Health Center Funding In Kansas since 1990 Good Reference**

[http://www.kslegislature.org/li\\_2020/b2019\\_20/committees/ctte\\_spc\\_2020\\_ks\\_mental\\_health\\_modern\\_1/documents/testimony/20201030\\_15.pdf](http://www.kslegislature.org/li_2020/b2019_20/committees/ctte_spc_2020_ks_mental_health_modern_1/documents/testimony/20201030_15.pdf)

**Supplemental note on SB283 Problem Gambling and Addictions Grant Fund (Sections 23 and 30)**

**SB84? Lock-box co-occurring option**

[http://www.kslegislature.org/li\\_2020/b2019\\_20/measures/documents/supp\\_note\\_sb283\\_02\\_0000.pdf](http://www.kslegislature.org/li_2020/b2019_20/measures/documents/supp_note_sb283_02_0000.pdf)

**Governors Behavioral Health Services Planning Council Block Grant Wes Cole needs update**

<https://www.kdads.ks.gov/commissions/behavioral-health/gbhspc>

**Kansas Racing and Gaming Commission 2019 annual report \$**

[https://www.kdheks.gov/hcf/data\\_requests/download/DataRequestForm.pdf](https://www.kdheks.gov/hcf/data_requests/download/DataRequestForm.pdf)

[http://www.krgc.ks.gov/images/stories/pdf/Annual\\_reports/2019\\_Annual\\_Report\\_Final.pdf](http://www.krgc.ks.gov/images/stories/pdf/Annual_reports/2019_Annual_Report_Final.pdf)

**Economic Development Initiative Fund No comment**

EDIF issues

<https://www.governing.com/news/headlines/Millions-in-Kansas-Development-Fund-Used-for-Other-Purposes.html>

EDIF overview

<http://www.kslegresearch.org/KLRD-web/Publications/2015Briefs/2015/E-2-EDIFFundOverview.pdf>

EDIF post audit

<https://www.kslpa.org/wp-content/uploads/2019/10/5-Final-Report-pdf.a.pdf>

Ks lottery EDIF

<https://www.kslottery.com/administration/economic-development>

NCSL post audit EDIF

[https://www.ncsl.org/Portals/1/Documents/fiscal/Fiscal\\_2020\\_meetings/Kristen\\_Rottinghaus\\_Session\\_6\\_Presentation\\_35566.pdf](https://www.ncsl.org/Portals/1/Documents/fiscal/Fiscal_2020_meetings/Kristen_Rottinghaus_Session_6_Presentation_35566.pdf)

**Nick Reinecker Testimony HB2459 2020 version Kristi L Bennet Parity Act concerns about DSM**

[http://www.kslegislature.org/li\\_2020/b2019\\_20/committees/ctte\\_h\\_ins\\_1/documents/testimony/20200210\\_35.pdf](http://www.kslegislature.org/li_2020/b2019_20/committees/ctte_h_ins_1/documents/testimony/20200210_35.pdf)

**Future Ad Astra Per Aspera**

[https://www.who.int/news/item/18-06-2018-who-releases-new-international-classification-of-diseases-\(icd-11\)](https://www.who.int/news/item/18-06-2018-who-releases-new-international-classification-of-diseases-(icd-11))