

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE.

The meeting was called to order by Chairperson Jim Morrison at 1:32 p.m. on January 28, 2003, in Room 243-N of the Capitol.

All members were present except Representatives Landwehr, Neighbor, and Holland.

Committee staff present:

Bill Wolff, Legislative Research Department  
Renae Jefferies, Revisor of Statutes' Office  
Gary Deeter, Committee Secretary

Conferees appearing before the committee:

Marla Lopeman, Vice-President of Sales and Marketing, Alterra Health Care  
Beth Bandy, Senior Director for Operations in Kansas, Alterra Health Care

Others attending: See Guest List.

The Chair welcomed Marla Lopeman, Vice President of Sales and Marketing for Alterra Health Care, who presented information about Alterra's assisted living services and reviewed legislative interaction with assisted living facilities across the nation. (Attachment 1) She explained that assisted living offers a supportive intermediate setting with individualized, self-directed care, "aging with choice." She said Alterra, with 380 residences in the United States and 28 in Kansas, is a national provider of assisted living services and the nation's largest operator of free-standing residences for Alzheimer's patients. She stated that Alterra initiated services in Kansas with Sterling House in Augusta in 1991, and that Kansas began to address the needs of the frail elderly with **SB 8** in 1995.

Ms. Lopeman listed the challenges of assisted living, which include upgrading staff, liability issues, and staying affordable. She noted that 52.2% of individuals with forms of dementia reside in assisted living facilities, and that the average age of those entering such facilities is increasing. She said that assisted living facilities qualify for HCBS (Home and Community-based Services) funds, whereas nursing homes do not. Noting that most states present a hostile regulatory environment for assisted living providers, she praised Kansas and Texas as the most collaborative in developing standards for inspections. She commended Joe Kroll (Director, Bureau of Health Facilities, Kansas Department of Health and Environment) for establishing a participatory committee to develop effective standards and enforcement procedures, saying that the committee presently has a working draft of the survey process and a deficiency list, with an enforcement document and a news-release procedure in process.

Answering questions, Ms. Lopeman said the average stay in an assisted-living facility is 24-26 months. She said Alterra is funded 98% from private monies; Alterra is presently publicly owned, but following bankruptcy reorganization, it may become a private company. She agreed that PPS (Prospective Payment Services) has contributed to Alterra's offering for sale about 100 facilities where it cannot afford to compete. She said Alterra has an informal dispute-resolution procedure which works well in Kansas. Regarding inspections, she said a survey different from a nursing home inspection/survey is being tested,

## CONTINUATION SHEET

MINUTES OF THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE at on January 28, 2003, in Room 243-N of the Capitol.

and that timing for releasing information to the media is being formulated.

The minutes for January 21 and January 22 were approved by an appropriate motion and second.

The Chair reviewed member assignments to various bills:\*

- Radiologic Technologist licensure: Representatives Long and Svaty;
- Dental Hygienists working off-site: Representatives Showalter and Schwab;
- Temporary license for dentists and hygienists for charity work: Representatives Patterson and Hill;
- Licensure for Physical Therapists: Representatives Kirk, DeCastro, Sharp;
- Licensure for Pharmacy Technicians: none yet;
- A Behavioral Sciences Regulatory Board bill on Confidentiality: none;
- A BSRB bill regarding licensure mobility: none;
- Broaden qualifications for Health Director, KDHE: Representatives Kirk and Neighbor;
- Increase social-worker representation on the BSRB: Representatives Kirk and Miller;
- Prohibit adult-care inspection reports from being used in lawsuits: Representatives Kirk and Goico;
- Creation of a Kansas Health Commission: Representatives Bethell and Reitz;
- A House Concurrent Resolution recognizing school nurses as First Responders: Representatives DeCastro, Showalter, and Holland.

\* The first name is the lead legislator.

The Chair urged members to become experts on their issue in order to conduct a hearing on the bill at the appointed time. He announced the URL for the television coverage: <mms://legmedia.state.ks.us:1089>.

The meeting was adjourned at 2:42 p.m. The next meeting is scheduled for January 29, 2003.