



To: Representative Susan Concannon, Chair and Members, House Children and Seniors Committee

Date: February 3, 2021

Neutral Testimony on House Bill 2150

LeadingAge Kansas is in support of the nearly all provisions of House Bill 2150. We particularly support its updates and expansions around the investigation of financial exploitation of vulnerable adults. The hidden and complicated nature of financial crimes make them especially insidious and hard to pursue. Financial exploitation crimes most often come to light when an elder enters an adult care home setting. Financial fraud and theft become obvious when responsible parties fail to pay nursing home bills, fill out Medicaid applications that require financial disclosures or simply fail to provide funds for basic everyday necessities for an elder. It has only been in the last decade that our state authorities have dedicated themselves to investigating and prosecuting these kind of common financial exploitation situations.

The provision of HB 2150 that concerns our members is the elimination of the requirement for APS to notify a complainant of the outcome of an investigation into abuse, neglect or exploitation of a vulnerable adult. Adult care homes often file reports with adult protective services when they suspect abuse or exploitation of one of their residents. However, they have long struggled to get information from APS about whether the suspected abuse was confirmed by the agency. Adult care homes are responsible for the care and safety of their residents, and it is extremely important for them to know whether adult protective services found that the resident was in fact being abused or exploited. It is also important for adult care homes to know the outcome of an investigation so that they can further pursue to the matter with law enforcement and to instigate any legal proceedings that may be required to recover unpaid bills to the adult care home.

The existing law does give disability providers the right to receive information from APS about whether an abuse, neglect or exploitation complaint was substantiated. We ask that adult care homes, as defined in K.S.A. 39-923(a)(1) be added to this section to allow them to receive the same information on investigations as disability providers.

Suggested amendment:

(e) The Kansas department for children and families ~~may~~ *shall* inform the chief administrative officer of community facilities licensed pursuant to K.S.A. 2020 Supp. 39-2001 et seq., and amendments thereto, **and the chief administrative officer of adult care homes licensed pursuant to K.S.A. 39-923(a)** of ~~confirmed~~ *substantiated* findings of resident abuse, neglect or financial exploitation