

Agriculture and Natural Resources Committee

March 2, 2009

SB 203/Secretary of agriculture,
food safety and lodging program changes

Martin Kennedy, Deputy Secretary

Chairman Powell and members of the committee, thank you for the opportunity to offer an amendment today on SB 203 to clarify the licensing responsibilities as referenced in SB 203.

The Licensure, Certification and Evaluation Commission of KDOA has responsibility for the inspection of more than 600 adult care homes under state licensure statutes and the certification requirements of the federal Centers for Medicare and Medicaid Services (CMS). Adult care homes include nursing facilities, assisted living facilities, residential health care facilities, homes plus, nursing homes for mental health and intermediate care facilities for the mentally retarded (ICF-MRs).

As part of the requirements for licensure and federal certification, adult care homes must meet or exceed sanitation standards included in state law and federal regulation. For that reason, their kitchen and food service operations are inspected regularly as part of the regulatory activity of KDOA health facility surveyors.

In its current form, SB 203 would appear to require the Board of Agriculture to inspect and license adult care home kitchens, which would be a duplication of part of KDOA's regulatory activity. The bill already exempts from its provisions those facilities licensed by the Kansas Department of Health and Environment. We request the bill be amended to extend the exemption to also include facilities licensed by the Kansas Department on Aging.

The addition of this exemption would remove a potentially costly and duplicative function from SB 203. I would be happy to answer any questions you have regarding our suggested changes.