

SB 562

**The House Committee on Elections
and Governmental Organizations**

**by Martin Kennedy, Commissioner
Licensing, Certification and Evaluation**

Kansas Department on Aging

March 18, 2008

Rep. Burgess and members of the House Elections and Governmental Organizations Committee, thank you for the opportunity to appear before you today. I am Martin Kennedy, Commissioner of the division of Licensing, Certification and Evaluation for the Kansas Department on Aging. KDOA appears in support of SB 562.

KDOA is responsible for the regulation of adult care homes in Kansas. State licensure regulations require adult care homes to afford residents the right to exercise their rights as citizens. Voting is one of those rights. The current practice is for adult care home staff to assist residents to go to polling sites or to assist them in obtaining advance ballots.

Adult care homes include nursing facilities, nursing facilities for mental health, intermediate care facilities for the mentally retarded, assisted living facilities, residential health care facilities, home plus, and boarding care homes. All these various types of adult care home facilities are the home or residence of the people who live in them. Providing residents with the opportunity to vote at their place of residence through mobile polling would enhance the residents' ability to exercise their right to vote.

This bill limits the opportunity for mobile polling to residents of nursing facilities, long-term care units, and assisted lived living facilities. However, the residents living in the other adult care homes would also benefit from having mobile polling available. These include the adult care homes of residential health care, boarding care, homes plus, intermediate care facilities for the mentally retarded, and nursing facilities for mental health. These citizens share similar issues in exercising their right to vote. There are a total of 610 adult care homes and 49 long term care units in the state of Kansas.

Secondly, we request the revision of the language identifying the administrator as the facility person of contact. An administrator is required only for nursing facilities, long term care units, and intermediate care facilities for the mentally retarded. Depending on the number of licensed beds an administrator or "operator" may be the contact person in an assisted living facility and the other adult care homes.

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