

Priority 1: Charlie’s Bill, HB 2004 will provide elders the right to appeal eviction in assisted living and home plus facilities in Kansas.

- When Charlie Imthurn was evicted by the assisted facility where he lived, he and wife Rachel had to immediately find a safe, appropriate home with care. They were not given 30 days notice, nor cause for the eviction, nor a doctor’s authorization. Charlie had dementia. He died 9 days later from transfer trauma, which began the day he moved.
- In Kansas, elders like Charlie Imthurn have no right to appeal an eviction to the state’s administrative hearings court or any objective party.
- The lack of appeal right puts older adults at great risk, especially when they, like Charlie are physically or cognitively challenged. Unlike Charlie many are without family to advocate for their needs.
- If older adults live in a nursing home, they are guaranteed the right to appeal evictions to the state fair hearing court by federal and state laws.
- If elders rent an apartment in the community, they are guaranteed the right to challenge an eviction.
- Charlie’s Bill provides the same guarantee of fair, basic protection for frail older adults in assisted settings.
- It poses no significant obstacle to facilities choosing to issue an eviction notice.

Status: Children & Seniors Committee held a hearing in 2021. No vote has been taken.

Priority 2: Building the Workforce in Nursing and Assisted Facilities

- Temporary Nurse Aides were an emergency measure specific to the pandemic. Use of TNAs was a stop-gap for facilities whose staff was out with COVID.
- Temporary Nurse Aides were never intended to be permanent and provide hands-on resident care.
- TNAs have only 8 hours of on-line training, lacking the knowledge and clinical experience to safely care for older adults.
- By comparison, Certified Nurse Aides/CNAs have 90 hours of in classroom and supervised clinical training to prepare them for hands-on care of frail elders.
- There is no state or federal data about TNAs, the numbers trained, hired, success or failure.
- Because it is cheaper to pull someone from housekeeping or dietary into helping care for an elder’s needs, adult care facilities are now asking you to make TNAs permanent.
- In fact, facilities already have the option to train all workers to safely care for residents through the “Universal Worker” approach. Universal Workers complete the CNA training and can fluidly move from housekeeping, maintenance, dietary to care of elders.
- The pandemic has made clear that facilities will not be able recruit or keep workers until their workers are appropriately trained, compensated, and provided the support and supervision workers need to do a good job for the elders they are hired to care for.
- Making TNAs permanent may be cheaper for facilities, but it is unfair to workers, and it is dangerous for elders.

Status: No bill yet. Strong interest from select legislative committees. Opposition from consumer groups.