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House Health & Human Services  
Chairwoman Landwehr and Committee Members  
February 14, 2024

**HB2777 – Proponent**

Good Afternoon, Madam Chair and Committee Members. I am Linda MowBray, President/CEO of the Kansas Health Care Association and Kansas Center for Assisted Living. We are a trade Association representing for-profit and not-for-profit nursing home, assisted living, residential health care, home plus, and nursing facilities for mental health communities across the state. We are the oldest nursing home trade association in Kansas and have over 265 member communities. Our members care for nearly 20,000 elders across the state 24 hours a day with an employee team of over 20,000 workers.

We appreciate the opportunities to present testimony in support of HB2777 an act concerning health and healthcare; relating to patient care facilities; prohibiting the state fire marshal and the marshal's representatives from wearing or operating a body camera during an on-site inspection at a patient care facility.

Early in 2024, we were surprised to learn that inspectors from the Office of the State Fire Marshal (OSFM) were wearing body cameras during routine life safety inspections in both hospitals and adult care homes. This was done without the knowledge or consent of the facility. Additionally, this was also without knowledge and consent from the residents in these settings, their family members, and the staff. Clearly this was an infringement on their right to privacy, dignity and to provide consent.

We exchanged emails with CMS Region 7 office out of Kansas City, MO and received the following response: *We have been working with the SAs and FM this week. As of today, the FM is suspending the use of the body cams in HC. More to come. Sincerely, Katharine (Achor)* The email thread is attached this testimony. It seems clear that CMS does not support this use.

Finally, it would seem reasonable for a member of the OSFM to use a body camera during an investigation of a fire or other such incident, however, normal routine inspections would not seem to rise to this level.

Thank you for this opportunity to provide testimony supporting HB2777.

**Linda MowBray**  
**President/CEO**  
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