

Parkinson nears KNI decision



OCTOBER 2009 FILE PHOTO/THE CAPITAL-JOURNAL

Eileen Deeter, 50, a resident of the Kansas Neurological Institute, laughs with her parents, Florence and Gary Deeter, as Gary pushes her fast down a ramp in the housing unit where Eileen lives. Her parents say the activity is one of Eileen's favorites.

Gov. could approve or block proposal to close Topeka facility

BY [TIM CARPENTER](#)

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Gov. Mark Parkinson is on the cusp of determining the fate of Kansas Neurological Center in Topeka.

A commission concluded in October the facility serving 160 profoundly disabled adults should be closed and residents transferred to Parsons State Hospital or smaller community living units.

A bipartisan contingent of the Shawnee County legislative delegation opposes KNI's closure, while advocates for placing people with disabilities in the least restrictive environment argue KNI should have been shuttered years ago.

Parkinson possesses authority to advance or block the commission's blueprint for reform at KNI. The governor visited the facilities in Topeka and Parsons. He's listened to parents, guardians, staff, advocates and state officials. Documentation tied to the debate is as thick as a telephone book.

The governor appears ready to reveal his findings,

perhaps Tuesday, but his staff has been tight-lipped.

"Governor Parkinson is still collecting and reviewing information as he contemplates this decision," said Beth Martino, a spokeswoman for the governor.

Parkinson intended to make a decision before the start of the 2010 legislative session, but missed the self-imposed deadline.

The Democratic governor has the power to outright reject the commission's recommendation, approved on a 7-3 vote. That would spike the commission closure process as it relates to KNI. If Parkinson issued an executive order putting the transfer into motion, only a majority vote by either the House or Senate could derail consolidation.

House Speaker Mike O'Neal, a Hutchinson Republican, said the state's estimated \$400 million deficit in the upcoming fiscal year and the high per-capita expense of managing large institutions could compel lawmakers to advocate for closure of KNI.

"The report makes sense to me, but I understand the families' angst," O'Neal said.

Stakes are high for the men and women with severe developmental disabilities who await their fate. Nine out of 10 KNI residents have significant intellectual disabilities. Two-thirds can't walk, while four of five are unable to speak. Nearly all have lived at the Topeka facility for more than a decade.

Some parents and guardians have lobbied against consolidation, but disability service providers insist treatment will be better outside KNI.

"I'm not convinced it will save the state anything in the long run," said Sen. Laura Kelly, a Topeka Democrat.

Rocky Nichols, executive director of the Disability Rights Center of Kansas, said as much as \$14 million could be saved each year by moving as many people as possible into community-based facilities. Anyone who argues there would be little or no savings is being "incredibly intellectually dishonest," Nichols said.

"I understand what it means to be parochial," said Nichols, a former House member from Shawnee County. "Their arguments are not steeped in reality."

Rep. Lana Gordon, R-Topeka, said she wasn't convinced facilities in the community would be

equipped to accommodate the influx of clients.

"I'm concerned this is an instance of penny-wise but pound foolish," Gordon said.

The Facilities Closure and Realignment Commission was adamant about one element of its recommendation: Any savings from phasing out KNI must be earmarked for expanding in-home services to those with disabilities who are on waiting lists in Kansas.

About 4,000 Kansans with developmental disabilities are on the Kansas Department of Social and Rehabilitation's waiting list to receive services provided through Medicaid waivers. Some people have been on the list five years.

Sale of state property where KNI is located in Topeka could be allocated for unmet needs of the state's disabled residents, said Tom Laing, executive director of Interhab, a coalition of groups serving the disabled.

Laing said state officials had a moral obligation to attack the waiting lists.

"No more waiting lists for vulnerable Kansans," he said. "When we sacrifice their interests, we ultimately sacrifice our own."

The Topeka Chamber of Commerce, which opposes closure, says Topeka risks forfeiture of \$66 million in annual economic activity tied to the institute. However, agitation about potential economic losses in the Topeka area could be overstated because many residents will move to housing in the metropolitan area and cause a ripple in employment.

Senate Minority Leader Anthony Hensley, D-Topeka, said he was skeptical the Legislature would be disciplined enough to invest all of any savings in the waiting lists for services. Special interests competing for scarce resources will be playing hardball, he said.

"There's no guarantee the money will follow the client," Hensley said. "The recommendation to cut the waiting list has got to go through the appropriations process. And, quite frankly, I have my doubts."

Nichols said the state's closure of Winfield State Hospital demonstrated the quality of life for residents could improve outside a large institutional setting. Eighty-five percent of the 240 residents at Winfield transferred to the community, while 15 moved to KNI or Parsons.

"There's this perception that with KNI, you spend more money, you must get better outcomes at a place like that," Nichols said. "It's the most crucial part of the post-Winfield closure study. People experienced better outcomes when they left."

Nichols the state couldn't financially or philosophically justify operation of massive hospitals for disabled people. For every person at KNI needing the highest level of services, he said, there are about 30 people with comparable needs living in community-based housing.

"People will get that care somewhere," he said. "Just not from a state-run, large-bed congregate warehouse."

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