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Healthy People Build Strong Communities

Testimony by Dennis Kriesel with the Kansas Association of Local Health Departments (KALHD) to
Senate Committee on Judiciary

Written-Only Opponent for SB 466 • February 18, 2022

Madam Chair Warren and Members of the Committee:

Thank you for the opportunity to supply written testimony in opposition to Senate Bill 466 regarding responses to infectious or contagious disease by certain public and private entities and certain prohibitions on the powers of county and local health officers related to public health. KALHD is a nonprofit association dedicated to strengthening local health departments for the purpose of improving and protecting the health of all Kansans.

KALHD has several concerns with SB 466 and possible negative impacts it could have.

First, New Section 2 prohibits local governing bodies from requiring face masks for epidemic or other public health reasons. This could seriously jeopardize public health's ability to control infectious disease spread, especially if we see a serious airborne emerging disease that we lack any pharmaceutical interventions for. With COVID-19 we have seen studies¹ demonstrate the effectiveness mask filtration has at preventing disease spread, especially when usage is high. Our concern is we could see future airborne pathogens and without masks as an option disease spread could be rampant without even more restrictive controls (e.g., stay-at-home orders) given we may have significant delay before vaccines and medicines are ready. If the illness were particularly debilitating or deadly this could have significant impacts (both economic and human).

Second, Section 3 removes the ability for county commissioners to authorize mask mandates in K.S.A. 65-201. This law was recently amended last year via SB 40 to give local elected officials control over a variety of public health interventions (including masks). That change appears to be working as intended and county commissioners are all heavily involved in determining if their local community warrants mask mandates. KALHD believes this should remain a local decision. This concern likewise applies to the language change in Section 4.

KALHD believes Kansas should be focused on modernizing the public health system to ensure the health and safety of all Kansans. SB 466 does not advance that goal; it removes proven public health tools from the toolbox. Given the nature of today's global economy we need to remember that diseases far more devastating than COVID-19 could be in our future, and we need to be ready for them. As such, KALHD opposes SB 466 and asks that the committee not recommend it for passage.

Sincerely,

Dennis Kriesel

Executive Director, Kansas Association of Local Health Departments

¹ CDC's Science Brief: Community Use of Masks to Control the Spread of SARS-CoV-2: <https://www.cdc.gov/coronavirus/2019-ncov/science/science-briefs/masking-science-sars-cov2.html>