



Kansas Hospital
ASSOCIATION

2025 Legislative Preview

2025 begins the first of the biennium. All bills from 2024 will lapse, and new bills will be required once the new legislature is sworn-in and begins their work on Jan. 13, 2025.

While this preview is meant to provide an overview of possible topics that may come up during the 2025 session, there are many things that remain fluid and ever-changing during any given session. This preview is a tool to help prepare for possible topics that could be discussed during the upcoming legislative session.

Major policy items include work performed by the legislature during the interim. A change in the budget process has had the Legislative Budget Committee reviewing agency budgets during the interim to build towards an early session legislative budget based off the version passed in 2024 with a few updates from the committee.

Interim committees have spent time exploring the legislative tracking and monitoring used by policymakers, the capital preservation and building construction committees, claims against the state, post audits, administrative rules and regulations, child welfare systems oversight, modernization of the pooled money investment board, foreign trade and regulatory sandboxes, corrections and juvenile justice, affordable housing, the federal BUILD Kansas program, medical marijuana, Kansas security, sedation dentistry, targeted case management, home and community based services and KanCare oversight.

The elections in November resulted in an increase in the supermajorities in both the House and Senate with Republicans picking up two seats in the Senate and three in the House. The new split for the 2025 session will be 31 Republicans and nine Democrats in the Senate and 88 Republicans and 37 Democrats in the House.

Legislators are looking to re-visit early in session any 2023-2024 vetoes by Governor Laura Kelly that may now be able to meet the two thirds constitutionally required threshold to override a Governor's veto. They have also committed to looking further at property taxes as it was a big campaign topic for candidates throughout the state.

Kansas Budget and KanCare

Kansas Budget

State revenue estimates released in November show a reduction in the state ending balances. The latest estimates, reduced by \$59.8 million are down less than a percent of the revenues, which had previously been forecasted in the spring of 2024.

The estimates include tax changes that were passed by the 2024 legislature, which equate to the state anticipating bringing in about \$1.3 billion less in revenue than in expenses in 2025 and \$416 million less in revenue than expenses in 2026.

The new fiscal profile anticipates the state's ending balance is expected to drop from about \$3.2 billion in fiscal year 2024 to about \$1.5 billion in fiscal year 2026. The state is also expected to retain the rainy-day fund, which is expected to be about \$1.8 billion in 2026.

Legislators, having been dealt a budget surplus the previous two fiscal years, are focused on constraining spending while the governor has indicated a desire to not significantly make any changes to the tax structure until the complete impacts of the 2024 tax policies are accounted for.

The newest revenue numbers released for December 2024, indicates that total tax collections are 6.3% above the previous November estimates.

These estimates are what the governor's staff, and the 2025 legislature will use to build the following year's state budget and will largely shape the budget discussion headed into the legislative session.

KanCare

Last May, following the 2024 legislative session, the new managed care organizations were announced. The Kansas Department of Health and Environment selected two incumbent contractors: Sunflower Health Plan and United Healthcare Community Plan and one new organization: Healthy Blue.

The legislature, during the interim, had expressed questions about the process and selection of the agency, and questions could continue to come up about the newly implemented MCO and returning incumbent MCOs and their services to the Kansas KanCare recipients.

Children's Health Insurance Program Eligibility Fix

For the past several years, the legislature has placed language into the budget bill to ensure eligibility is based on the most current federal poverty level rather than the 2008 federal poverty level. There have been bills filed in previous years to permanently fix this language, and it could come up again in 2025.

Health

Provider Assessment

The Kansas Legislature added budget language to allow KDHE to explore increasing the provider assessment in Kansas by up to six percent. That language, and some adjustments to allow some critical access hospital's participation in the program, will need to be extended in state statute.

Rural Emergency Hospital Fix

The state will likely see a bill requiring the Kansas Department for Aging and Disability Services to seek a waiver from current federal requirements to be able to allow those transitioning to a Rural Emergency Hospital to keep their skilled nursing services without needing to meet standards as if they were opening a new facility.

Maternal Health

[Senate Bill 118](#) concerns the study and investigation of maternal deaths in Kansas. The topic received informational hearings during the 2023 session, but no bill has been considered. Similar legislation related to requiring adherence to American College of Obstetricians and Gynecologists bundles, publication of maternal outcomes statistics, requiring consumer-friendly hospital report cards, requiring publication of hospital and birthing center policies.

Rural Hospital Innovation Grant Program

The Rural Hospital Innovation Grant Program, which began allocating grants for hospitals working to change delivery of care models during 2023-2024, will need to be renewed to continue to provide funds for hospitals in 2025.

340B

Legislation is likely to be introduced this session to protect 340B and prevent contract pharmacy limitations following language inserted in 2024 to the budget that was not continued once the matter went before the Kansas courts.

Pharmacy

Legislation could be introduced this year regarding Pharmacy Benefit Manager reforms to add oversight, authority and protections from claw backs and unnecessary fees to pharmacies.

Lay caregiver Act

The Legislative Post Audit Committee proposed legislation to amend the Lay Caregiver Act (passed in 2017) in [KSA 65-431 A](#) requiring KDHE to verify that each hospital comply with the Lay Caregiver Act, conduct an annual compliance audit, compile results and report to the health committees annually.

Transgender Youth Care

Policymakers are likely to continue the discussion on transgender care for youth after [H Sub for SB 233](#) veto was sustained during the 2024 session.

Discharge Policies for Long-Term Care

[Senate Bill 191](#) seeks to change requirements for involuntary discharge at adult-care homes. The topic received a hearing in both the House and Senate in past sessions, and future discussion could continue into 2025.

Newborn Screen Fee Fund

Language has been in the budget bill to increase the transfer from the Medical Assistance Fee Fund rather than it being an annual line-item in the budget, ensuring funds do not come from other fees. There has been legislation introduced to permanently fix the shortfall that could be considered again in 2025.

Hospital Pricing Transparency

During the 2024 session, the House Insurance Committee passed out of committee [HB 2713](#), which would have duplicated federal requirements but created state penalties associated with the compliance of the federal law. The topic could come up again in 2025.

Medical Next of Kin

The state could consider allowing a medical next-of-kin process in state statute to ensure patients can more easily transfer between care settings.

Interfacility Transports

The state may explore the topic of difficulty in obtaining interfacility transports for patients in Kansas, and how that is interacting with the emergency medical services across our state.

Avoidable Days

State lawmakers will hear more about the costs born by Kansas hospitals as patients struggle to transfer to more appropriate care settings or environments, and how those costs are being shifted to our Kansas hospitals in the form of uncompensated care.

KanCare Coverage

Legislation could be introduced to expand or restrict coverage of those currently served by the KanCare program.

Prior Authorization

The legislature may consider proposals to improve the prior authorization process including adding time limits for response for those claims not currently falling under the clean claims act, limiting instances where prior authorization is required by insurers or improving the peer-to-peer process.

Behavioral Health

The legislature is likely to continue to discuss the construction of the new state behavioral health center being built in South Central Kansas and some of the workforce needs related to behavioral health care.

Workers' Compensation

Permanent Total Disability

The topic of increases to the maximum compensation benefits payable by an employer for permanent total disability suffered by an injured employee could come up in the 2025 session.

Licensure/Scope of Practice

Massage Therapist Licensure

[Senate Bill 111](#) and [Senate Bill 305](#) amends the Massage Therapist Licensure Act. The bill could come up again in 2025.

Licensure Compacts

Legislation may be introduced in 2025 seeking Licensure Compacts for professions including; dietitians, school psychologists, physician assistants, advanced practice registered nurses, cosmetologists, occupational therapists and respiratory therapists.

Nurse Anesthetists Scope

[Senate Bill 112](#) amends the scope of practice for nurse anesthetists to allow independent practice. The bill passed the Senate in 2023 and could come up again in the 2025 legislature.

Naturopathic Scope

[Senate Bill 121](#) broadens the scope of practice for naturopathic doctors. The topic could come up again in 2025.

Anesthesiologist Assistants

An informational hearing on the topic of anesthesiologists assistants scope of practice was last held in 2022. The topic could come up again in future sessions.

Workforce

Preceptor Tax Credit

Legislation may be pursued in Kansas, providing a tax credit for those serving as preceptors or mentors in health care settings.

Increase in Nursing Initiative Grant

The Kansas Board of Regents will seek continued funding for the next budget year for nursing program grants and flexibilities to graduate and retain more nursing students in Kansas.

Nursing Program Alignment

The Kansas Board of Regents is working to align nursing school programs making it easier to navigate the nursing program course paths into higher levels of learning. While there isn't likely to be legislation, the topic could be discussed during hearings.

Health Service Scholarships

Kansas could see a continued investment in additional scholarships for those individuals who attend a nursing program in Kansas. Last session, language included those scholarships cannot go to anyone practicing in contract nursing. The state could explore other scholarships such as those who pursue an allied health profession that currently does not qualify for state-sponsored scholarships and attend programs at four-year and post-graduate regents' institutions.

Staffing Agency

[Senate Bill 277](#) and [House Bill 2265](#) provides reporting requirements and agency oversight of supplemental nurse staffing agencies. The topic has been included in budget proviso in 2024 and is likely to come up again in 2025.

Upskilling Grants

The state could explore mirroring the Manufacturing Training Grant Program for health care to allow hospitals and long-term care to seek statewide grants to develop certain as-needed training programs.

Child Care

Legislation to reform the state oversight structure of childcare licensing and resources, in addition to more funds for providers, is likely to be considered after it failed to pass the Senate in 2024.

Graduate Medical Education

Kansas could see the development of a state graduate medical education program to train more doctors practicing in certain key specialties or areas of the state.

Rural Opportunity Zone

Kansas will need to extend or reform the Rural Opportunity Zone program for those eligible to receive tax credits and loan repayment for their work in rural areas of the state.

Worker Protections

Legislation could come up to create the crime of interference with healthcare services that would allow a hospital to press charges against someone committing assault and battery of a healthcare worker.

Miscellaneous

Medical Marijuana

Medical marijuana has been a frequent topic of discussion at the statehouse, with an interim committee dedicated to further researching the topic. In 2021, a bill to create the Kansas Medical Marijuana Regulation Act to define terms, amend criminal penalties and create drug schedule re-programming passed the House in [House Sub for SB 158](#). The Senate held hearings on the topic in 2023, but the following are carry-over bills: [Senate Bill 135](#), [Senate Bill 171](#), [Senate Bill 310](#), [House Bill 2367](#) and [House Bill 2417](#).

Prescription Monitoring Program

Legislation may be introduced requiring any prescriber, as defined in KSA 65-1626, who holds a current registration issued by the drug enforcement agency and prescribes controlled substances to register with K-TRACS. In addition, it requires them to pay additional fees associated with the program's administration, which is currently funded from a combination of fees and grants. Additionally, there have been bills in the past to require the attorney general's Medicaid Office of the Inspector to be able to access K-TRACS records without a warrant. This could come up again in 2025.

Vaccinations

Legislation limiting vaccination requirements could continue to be a discussion in 2025. The following are carry-over bills on the topic from the 2023-2024 session: [Senate Bill 6](#) (passed the Senate), [Senate Bill 20](#), [Senate Bill 314](#) (passed the Senate) and [House Bill 2007](#).

Presumptive Eligibility

[Senate Bill 501](#), introduced in 2022, eliminates presumptive eligibility for hospitals in Kansas, changes requirements for those receiving food assistance and requires state agencies to conduct cross-checks to verify eligibility. Similar legislation could surface in 2025.

Information Sharing

[Senate Bill 234](#) would prohibit government entities from sharing information for social service purposes. The legislation received a hearing in 2023 and could come up again in 2025.