



KHA's Capitol Comments
October 28, 2021

State Supreme Court Holds Hearings on Kansas Emergency Management Act

On Tuesday, the Kansas State Supreme Court held a hearing on [Senate Bill 40](#). The legislation passed during the 2021 session provided new legal recourse for health-related orders issued by local governments and school districts. The courts intervened when a complaint was brought against a school district through the Johnson County courts. A district court in Johnson County questioned the law's constitutionality related to timelines for judicial review. While questions from the justices centered around the ability of the legislature to set judicial timelines, they also questioned why the parties in the lawsuit did not challenge constitutionality but rather why the argument was introduced by the lower courts. The court ruling on the matter is likely to come this fall.

Representative Russ Jennings Passes Away

Republican state lawmaker Russ Jennings from Lakin passed away this week after revealing a cancer diagnosis earlier this year. Jennings was 66 and had served in the House since 2013. He was considered a leader in juvenile justice and corrections reform in the Kansas Legislature. He also was a former deputy sheriff in Kearny County, a district magistrate judge, and member of the Kansas Juvenile Justice Authority.

The current seat will be filled following an election of Republican precinct leaders in the coming weeks. Lakin attorney Kenny Estes announced plans to run for Jennings' seat next year.

Mental Health Modernization Task Force Meets

Today, the full Special Committee on Kansas Mental Health Modernization and Reform met. The committee heard concerns expressed by Rep. Kristey Williams (R-Augusta) related to racial history taught to students throughout Kansas. The committee also heard from Craig Neuenswander, deputy commissioner from the Kansas Department of Education, and three districts about successful mental health programs. Appearing before the committee to discuss program models were:

- Angie Salava, Olathe Public Schools
- Ron Wilson, Hays
- Dr. Mark Schmidt, Blue Valley.

The committee also received updates from the subcommittees they formed, including one on telehealth. The telehealth subcommittee reported on quality assurance, reimbursement codes, crisis services for telehealth, originating and distance sites and the child welfare system. In addition, the subcommittee stated the topic of payment parity in telehealth will be discussed at the Nov. 15 meeting.

The committee heard a presentation from Kansas Health Institute staff on urban and rural suicide rates, as well as federal and state efforts aimed at prevention, including the 988 Suicide Prevention Hotline. In addition, the committee received feedback from the following conferees on challenges and opportunities in addressing suicide prevention:

- Andrew Brown, Kansas Department for Aging and Disability Services
- Monica Kurz, KS Suicide Prevention Resource Center Headquarters
- Dr. Nicole Klaus, Professor, University of Kansas School of Medicine
- Rennie Shuler-McKinney, Advent Health on behalf of the Johnson County Suicide Prevention Coalition
- Reverend David Fulton, Robert J. Dole Veterans Hospital

The committee then held a roundtable discussion on suicide prevention efforts that included several specialists and private citizens from around the state. The committee also received presentations on the specialty courts' approaches and trauma-informed care. The next meetings are scheduled for Nov. 17-18, Dec. 10 and Dec. 15-16.

LCC Makes Appointment to Healthcare Stabilization Fund

This week, the Legislative Coordinating Council met. The committee voted to appoint Douglas Gleason, MD, to the Health Care Stabilization Fund Oversight Committee, which provides liability coverage for health care providers in the state. The committee also approved budgets for the upcoming legislative session and authorized the creation of working groups to assist the Kansas Senior Care Task Force next session.

Second Round of Virtual Redistricting Meetings Set

The 2021 Redistricting Advisory Group has set the next round of virtual listening tour discussions. The virtual hearings take place between Nov. 22 and Nov. 30. The congressional district will set the meetings. Each district will have two to four locations where equipment will be set up to allow residents to testify virtually. Below is the anticipated schedule:

- From 5:00 to 7:30 p.m. on Nov. 22 – Congressional District 2 with virtual locations in Atchison, Ottawa, Independence and Kansas Native American Reservations
- From 5:30 to 7:30 p.m. on Nov. 23 – Congressional District 1 with virtual locations in Emporia, Great Bend, Liberal and McPherson
- From 5:30 to 7:30 p.m. on Nov. 29 – Congressional District 4 with virtual locations in Newton and El Dorado
- From 5:30 to 7:30 p.m. on Nov. 30 – Congressional District 3 with virtual locations in Stilwell and Bonner Springs

Upcoming Interims

Included is a list of upcoming interim committees slated to meet through October and November.

Oct. 29 – Special Committee on Government Overreach and Impact of COVID-19 Mandates

Oct. 30 – Special Committee on Government Overreach and Impact of COVID-19 Mandates

Nov. 1 – Special Committee on KS Mental Health Modernization and Reform – System Capacity and Transformation Subcommittee

Nov. 3 – Special Committee on Kansas Mental Health Modernization and Reform – Service and Workforce Working Group

Nov. 3-4 – Joint Committee on Child Welfare System Oversight

Nov. 4 – Joint Committee on Information Technology

Nov. 4 – SPARK Executive Committee – Dodge City

Nov. 5 – Legislative Budget Committee

Nov. 9 – Special Committee on Child Support Enforcement and Collection

Nov. 10 – Kansas Senior Care Task Force

Nov. 10 – Special Committee on Kansas Mental Health Modernization and Reform – System Capacity and Transformation Working Group

Nov. 15 – Special Committee on Kansas Mental Health Modernization and Reform – Telehealth Working Group

Nov. 15 – Kansas Criminal Justice Reform Commission

Nov. 15 – SPARK Executive Committee – Kansas City

Nov. 16 – Health Care Stabilization Fund Oversight Committee

Nov. 17-18 – Special Committee on Kansas Mental Health Modernization and Reform Committee