



***KHA's Capitol Comments***  
***March 10, 2023***

**Joint Rules and Regulations Committee Meets**

Today, the Joint Rules and Regulations Committee, chaired by Senator Kellie Warren (R-Leawood), heard from Cody Bebout, assistant general counsel, Kansas State Board of Healing Arts, on a proposed change to K.A.R. 100-15-1, and Christine Osterland, Kansas Department of Health and Environment, on a proposed change to KAR-129-6-88.

Bebout highlighted one change in K.A.R. 100-15-1. K.A.R. 100-15-1 allows a resident with an active license to have a second job for more hours and experience and sets the expiration date annually for June 30 each year. Following questions, the committee expressed no concerns.

Osterland discussed the proposed change to the working healthy program in KAR-129-6-88. KAR-129-6-88 changes premiums to be charged to Medicaid consumers participating in the program. Currently, a premium is imposed upon a Working Healthy consumer when the consumer's household income exceeds 100 percent of the federal poverty-level income. The proposed change raises the floor for imposing a premium to 266 percent of poverty-level income. For 2022, the federal poverty-level income for a single person was \$13,590. Committee members expressed concern this needs to go through legislation and suggested it is a back-door avenue to Medicaid expansion. The committee also took issue with this as an appropriations item.

**Senate Federal and State Affairs Committee Hears Bill on Philanthropic Gifts**

Today, the Senate Federal and State Affairs Committee, chaired by Senator Mike Thompson (R-Bonner Springs), held a hearing on [Senate Bill 133](#). The legislation provides for the enforcement of donor-imposed restrictions on philanthropic gifts of endowment funds or property to charitable organizations.

The bill heard from the following proponents:

- Megan Schmidt, Philanthropy Roundtable, family foundations network
- Mark Hutton, Benefactor and former legislator

The committee also heard from opponent Gregg Willems, from Kansas State University Foundation who expressed concern it could be a significant drain on charitable organizations' focus and resources, as well as conflicts with existing law. Further, Willems suggested:

- The bill doesn't define the legal representative of a single donor
- Doesn't address when there are multiple donors
- Highlights the donor intent can be difficult to interpret
- Concerns around transfer allowances

### **Next Week's Schedule**

Next week, committees will continue to work bills as budget discussions are accelerated in the House and Senate. The activity in the statehouse will be lively as many students on spring break look to serve as legislative pages and advocacy groups will visit the statehouse.

### **Monday, March 13**

*Senate Public Health and Welfare – 8:30 a.m. – Room 142S*

Hearing: [House Bill 2024](#) – Expanding the legal surrender of an infant to include newborn safety devices

*Senate Education – 1:30 p.m. – Room 144S*

Hearing: [House Bill 2375](#) – Establishing the temporary candidacy baccalaureate and masters social work licenses and providing requirements and fees therefor

*House Local Government – 9:00 a.m. – Room 281N*

Final action: [Senate Bill 194](#) – Requiring hospital district board members to be qualified electors of the county where the hospital is located or any adjacent county

*House Health and Human Services – 1:30 p.m. – Room 112N*

Hearing: [Substitute for Senate Bill 131](#) – By Committee on Public Health and Welfare – Permitting an out-of-state physician to receive a sports waiver to practice medicine in this state on a limited basis during certain sporting events and permitting the Kansas State Board of Healing Arts to adopt procedures to allow other licensed and regulated health care professionals to be issued a sport waiver

*House Child Welfare and Foster Care – 1:30 p.m. – Room 152S*

Final action: [House Bill 2443](#) – Establishing the Office of the Child Advocate

*House K-12 Education Budget – 3:30 p.m. – Room 546S*

Final action: [Senate Bill 113](#) – Allowing naturopathic doctors to engage in the corporate practice of medicine

*House Taxation – 3:30 p.m. – Room 346S*

Hearing: [Senate Bill 248](#) – Providing a sales tax exemption for healthy food and repealing the state rate reduction for sales of certain food and food ingredients

*House Insurance – 3:30 p.m. – Room 218N*

Final action: [Senate Bill 24](#) – Changing the required number of employees contained in the definitions of "large employer" and "small employer" for purposes of coverage for autism spectrum disorder

[Senate Bill 28](#) – Discontinuing payments to certain group-funded insurance pools, refunding existing balances thereof and abolishing such funds; establishing the Group-Funded Pools Refund Fund

## **Tuesday, March 14**

*Senate Public Health and Welfare – 8:30 a.m. – Room 142S*

Hearing: [House Bill 2338](#) – Designating Sickle Cell Disease Awareness Week and requiring the Kansas Department of Health and Environment to study and report on topics related to sickle cell disease

[House Bill 2408](#) – Exempting certain services provided in adult care homes from the provisions of the acts regulating cosmetologists and barbers

*House Appropriations – 9:00 a.m. – Room 112N*

Budget report out: Post-secondary Education System – Chairperson Steven Howe, Higher Education budget

*House Commerce, Labor and Economic Development – 1:30 p.m. – Room 346S*

Hearing: [House Bill 2401](#) – Defining "benefit year" and "temporary unemployment" in the employment security law, requiring electronic filing of reports for employers with 25 or more employees, permitting discretion in the number of appointments and length of terms for the Temporary Employment Security Board of Review and extending the time required for the establishment of a new account due to a business acquisition

*House Corrections and Juvenile Justice – 1:30 p.m. – Room 546S*

Final action: [Senate Bill 228](#) – Modernizing statutes concerning county jails, removing the requirement that every county shall have a jail, modifying procedures used when district courts commit prisoners to jail in another county and when counties contract with city jails to keep prisoners and requiring a medical examination before certain United States prisoners or city prisoners are taken into custody of a county jail

*House Health and Human Services – 1:30 p.m. – Room 112N*

Hearing: [Senate Bill 96](#) – Establishing an income, privilege and premium tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities

## **Wednesday, March 15**

*Senate Public Health and Welfare – 8:30 a.m. – Room 142S*

Hearing on: [House Bill 2263](#) – Authorizing pharmacy technicians to administer certain vaccines

[House Bill 2325](#) – Adding maternity center to the definition of "health care provider" for purposes of the Healthcare Provider Insurance Availability Act

*Senate Financial Institutions and Insurance – 9:30 a.m. – Room 546S*

Final action: [House Bill 2093](#) – Discontinuing payments to certain group-funded insurance pools, refunding existing balances thereof; abolishing such funds and establishing the Group-Funded Pools Refund Fund

[House Bill 2094](#) – Specifying certain requirements necessary to demonstrate fiscal soundness for health maintenance organizations and Medicare provider organizations applying for certificates of authority

*Senate Federal and State Affairs – 10:30 a.m. – Room 144S*

Hearing: [Senate Bill 135](#) – Creating the Medical Cannabis Regulation Act to regulate the cultivation, processing, distribution, sale and use of medical cannabis. (Proponents and Neutral)

*House Appropriations – 9:00 a.m. – Room 112N*

Discussion: Social Services Enhancements for Kansas Department for Aging and Disability Services

*House Financial Institutions and Pensions – 9:00 a.m. – Room 582N*

Hearing: [Senate Bill 34](#) – Expanding the use and availability of rural housing incentive districts

*KanCare Expansion Rally – 1:15 p.m. – Second Floor Capitol*

## **Thursday, March 16**

*Senate Public Health and Welfare – 8:30 a.m. – Room 142S*

Hearing: [House Bill 2264](#) – Enacting the No Patient Left Alone Act to allow in-person visitation to certain patients at hospitals, adult care homes and hospice facilities

*Senate Federal and State Affairs – 10:30 a.m. – Room 144S*

Hearing: [Senate Bill 135](#) – Creating the Medical Cannabis Regulation Act to regulate the cultivation, processing, distribution, sale and use of medical cannabis (Opponents)

*House Appropriations – 9:00 a.m. – Room 112N*

Hearing: [House Bill 2418](#) – Abolishing the study commission for the consolidation of Kansas City, Kansas, and Wyandotte County, consolidation commission of Topeka, Kansas, and Shawnee County, study commission for the consolidation in Greeley County, Podiatry Review Committee, Kansas State Board of Healing Arts Review Committee for each branch of the healing arts, Contact Lens Advisory Council, State Emergency Response Commission, Naturopathic Advisory Council, Transportation Vision Task Force, Special Education Funding Task Force, the Persian Gulf War Veterans Health Initiative Act, Kansas Export Finance Act, Community Strategic Planning Assistance Act, Natural and Scientific Areas Advisory Board, Public Finance Transparency Board, Kansas Film Services Commission, Kansas Bioscience Authority, KAN-ED Act and Kansas Department of Health and Environment Advisory Committees

*House Federal and State Affairs – 9:00 a.m. – Room 346S*

Discussion and action: [House Bill 2438](#) – Eliminating the instructor-coordinator's certificate requirement associated with the teaching of emergency medical services courses.

**Friday, March 17**

### **KHA Bill Tracker**

The [Kansas Hospital Association Bill Tracker](#) is designed to keep you up-to-date on current legislation. KHA will update and share this document on a weekly basis while the legislators are in session.

### **Introduction of Bills**

[Senate Bill 307](#) – By Committee on Ways and Means

Concerning the Kansas Fights Addiction Act; relating to definitions; adding for-profit private entities to the definition of "qualified applicant"

[House Bill 2455](#) – By Committee on Federal and State Affairs

Concerning business entities; relating to the Kansas General Corporation Code, the Business Entity Transactions Act, the Business Entity Standard Treatment Act, the Kansas Revised Uniform Limited Partnership Act and the Kansas Uniform Partnership Act; facilitating the use of electronic transmissions and electronic signatures with certain exceptions; revising procedures and requirements related to emergency bylaws and actions under emergency conditions; merger or consolidation; dissolution and revocation or restoration of revoked or forfeited articles of incorporation or authority to engage in business and revival; modifying fees charged by the secretary of state for certain filings and copies