



KHA's Capitol Comments
March 29, 2023

Senate Commerce Committee Meets to Hear Workers' Compensation Bill

Today, the Senate Commerce Committee, chaired by Senator Renee Erickson (R-Wichita), held a hearing on [Senate Bill 38](#), which increases the maximum compensation benefits payable by an employer for permanent total disability suffered by an injured employee. The bill increases permanent total disability, including temporary total, temporary partial, permanent partial and temporary partial disability payments paid from \$155,000 to \$350,000 for an injury. The committee heard from the following proponent conferees:

- John Nave, Kansas AFL-CIO
- Jeff King, Kansas Department of Labor
- Anita Miller, citizen from Topeka
- Jeff Cooper, presenting for Jennifer Young from Wichita
- Keith Mark, presenting for Chris Jacobson
- Jake Miller, Working Kansas Alliance
- James Gallagher, citizen from Wichita

The committee asked about what other states have for total disability and when it was last increased, in 2011. The committee expressed frustration that something needs to be agreed to by the parties and suggested a lifetime benefit rather than a cap. Conferees indicated a lifetime benefit is their preference. The committee indicated they could meet again to work the bill if the Senate president allows.

Senate Ways and Means Committee Meets to Discuss Items Ahead of Conference

Today, the Senate Ways and Means Committee, chaired by Senator Rick Billinger (R-Goodland), reviewed items that will be before the conference committee when meeting with the House Appropriations Committee members to negotiate the differences between the House and Senate budget. The committee reviewed the process and received handouts that highlight the differences between the House and Senate positions. The committee will meet again at 9:00 a.m on Monday, April 3.

House and Senate Take Final Votes and Debate Bills

Today, the House took final action votes on the following bills debated yesterday:

[House Bill 2140](#) requires work registrants ages 50-59 to complete an employment and training program to receive food assistance. Passed on a vote of [82-42](#).

[House Bill 2439](#) requires notification to patients that the effects of a medication abortion may be reversible. Passed on a vote of [85-39](#).

[House Substitute for Senate Bill 42](#) makes and concerns appropriations for fiscal years 2023, 2024, 2025, 2026, 2027 and 2028 for various state agencies. Passed on a vote of [103-21](#).

[House Substitute for Senate Bill 169](#), by Committee on Taxation, provides an income tax rate of 5.25 percent for individuals and decreases the normal tax for corporations; increases the income limit for the income tax subtraction modification for social security income; increases the Kansas standard deduction for individuals and further increases the standard deduction by a cost-of-living adjustment; discontinues the food sales tax credit; decreases the privilege tax normal tax; establishes a 0 percent state rate for sales and uses taxes for food and food ingredients on July 1, 2023; and increases the extent of property tax exemption for residential property from the statewide school levy. Passed on a vote of [94-30](#).

[Senate Bill 174](#) creates the crime of interference with the conduct of a health care facility; increases the criminal penalties for battery of a health care provider; adds the placing of controlled substances into pills into the definition of manufacture; increases the criminal penalties for manufacturing fentanyl; creates a special sentencing rule to make sentences for distributing fentanyl presumptive imprisonment; excludes materials used to detect the presence of fentanyl, ketamine or gamma hydroxybutyric acid from the definition of drug paraphernalia; adds domestic battery and violation of a protection order to the crimes that a person can have the intent to commit when committing burglary or aggravated burglary; increases criminal penalties for the crime of interference with law enforcement when the violation involves fleeing from a law enforcement officer; and authorizes the attorney general to prosecute any crime that is part of an alleged course of criminal conduct that occurred in two or more counties. Passed on a vote of [84-40](#).

[Senate Bill 180](#) establishes the Women's Bill of Rights to provide a meaning of biological sex for purposes of statutory construction. Passed on a vote of [83-41](#).

The House also debated and took action on [House Bill 2132](#). The legislation expands the eligible fields of study and maximum scholarship amount for certain private postsecondary institutions.

The House took action on a bill passed yesterday by the Senate, [Senate Substitute for House Bill 2263](#). The allows pharmacy technicians to provide certain vaccines; however, the Senate added the contents of [Senate Bill 233](#). Senate Bill 233 creates a civil cause of action against a physician who performs childhood gender reassignment service and requires the revocation of a physician's license who performs childhood gender reassignment service. The House ruled the legislation materially altered and referred it back to the Health and Human Services Committee.

Today, the Senate took final votes on the following bills debated yesterday:

[Senate Bill 287](#) expands the Kansas Silver Alert Plan to include persons 18 years of age or older who have dementia, a developmental disability or cognitive impairment. Passed on a vote of 40-0.

[Senate Bill 297](#) revises the definition of "abortion" to clarify procedures that are excluded from such definition. Passed on a vote of [29-11](#).

[Senate Bill 307](#) adds "for-profit private entity" to the definition of "qualified applicant" in the Kansas Fights Addiction Act. Passed on a vote of 40-0.

[Senate Bill 314](#) prohibits the secretary of the Kansas Department of Health and Environment from requiring COVID-19 vaccination for children attending a childcare facility or school. Passed on a vote of [24-16](#).

[Senate Bill 315](#) requires childcare facilities, elementary, secondary and postsecondary educational institutions and employers to grant exemptions from vaccine requirements without inquiring into the sincerity of the request and repealing the meningitis vaccine requirement to live in student housing. Passed on a vote of [22-18](#).

[Senate Substitute for House Bill 2016](#) enacts the Act against Abusive Access Litigation to create a civil action for determining whether litigation that alleges any access violation under the Americans with Disabilities Act or similar law constitutes abusive litigation and authorizes penalties for such abusive litigation. Passed on a vote of [35-5](#).

[Senate Substitute for House Bill 2170](#) creates the Donor Intent Protection Act to provide enforcement of donor-imposed restrictions on philanthropic gifts of endowment funds or to endowment funds. Passed on a vote of [31-8](#).

The Senate chamber also is slated to debate and take final action on items today, including the following bills:

[House Bill 2313](#) creates the Born-Alive Infants Protection Act to provide legal protections for infants who are born alive regardless of the intent of the delivery.

[House Bill 2325](#) adds "maternity center" to the definition of "healthcare provider" for purposes of the Healthcare Provider Insurance Availability Act.

[Senate Substitute for House Bill 2390](#) requires the secretary of the Kansas Department of Health and Environment to study drug overdose death cases; provides for the confidentiality of acquired and related records; restricts the authority of the secretary of the Kansas Department of Health and Environment and local health officers to prevent the introduction and spread of infectious or contagious diseases; and repeals the authority of the secretary to quarantine individuals and impose associated penalties.

[Substitute for House Bill 2264](#) enacts the No Patient Left Alone Act to allow in-person visitation to certain patients at hospitals, adult care homes and hospice facilities.

[House Bill 2024](#) expands the legal surrender of an infant to include newborn safety devices.

[Senate Bill 112](#) authorizes registered nurse anesthetists to engage in independent practice and prescribe drugs; and prohibits registered nurse anesthetists from performing or prescribing drugs to induce an abortion.