



***KHA's Capitol Comments***  
**April 7, 2023**

**Senate and House Wrap-Up Work Ahead of Deadline**

Last night/this morning, around 4:30 a.m., the House and Senate completed some of their work for the regular session. At this point in the session, it's standard for many of the bills being followed to be packaged into new bill numbers throughout the course of a conference committee between House and Senate committee members on any subject.

The following bills and conference committee reports were among those addressed before the legislature adjourned:

[Conference Committee Report on House Bill 2292](#): Enacts the Kansas Apprenticeship Tax Credit Act to encourage the development of apprenticeship programs in Kansas by providing income tax credits for participating businesses that employ apprentices. The report passed the Senate on a vote of [32-6](#), and the House on a vote of [110-11](#).

[Senate Substitute for House Bill 2344](#): Establishes childcare licensing requirements related to license capacity and staff-to-child ratios, eliminates certain license fees and training requirements, creates a process for daycare facility licensees to apply for a temporary waiver of certain statutory requirements and authorizes the secretary to develop and operate pilot programs to increase childcare facility availability or capacity. The House voted [77-46](#) to concur with the Senate version of the bill.

[Conference Committee Report for House Bill 2184](#): Appropriations legislation for fiscal years 2023, 2024, 2025, 2026, 2027 and 2028. The report passed in the Senate on a vote of [24-12](#) and the House on a vote of [79-44](#).

Highlights of included items:

- \$61.6M/\$24.6M State General Funds to fund additional payments to nursing facilities based on the number of Medicaid residents served in the fiscal year 2024.
- \$34.4M/\$14M SGF to fully rebase the daily Medicaid rate for nursing facilities for fiscal year 2024.

- \$5M to reimburse the costs of health care providers, law enforcement agencies and counties on an hourly basis for patient observation and transportation following an evaluation; and approval for stay at a state mental health hospital and admission to the state hospital, all from existing resources, for fiscal year 2024.
- \$142M from federal American Rescue Plan Act funds for health facilities tied to Wichita State University and the University of Kansas.
- Language from [House Bill 2378](#) for the NE Kansas Veterans Home in Topeka (transferring land from the Kansas Department for Aging and Disability Services to the Veterans Administration).
- \$600M for the State Rainy Day Fund.

#### Kansas Department of Health and Environment:

- Added language excluding any hospital licensed as a rural emergency hospital from the Health Care Access Improvement Program assessment in fiscal years 2023 and 2024.
- Added funding to increase the Medicaid physician fee schedule for a 3.0 percent increase; increases emergency medical service ground ambulance rates to 75.0 percent of the Medicare rate; and increases air ambulance rates to 100 percent of the Medicare rate.
- Added \$800,000 for local health departments to distribute using the statutory distribution formula.
- Added \$1.2 million for adult dental coverage to include dentures and partials in Medicaid.
- Deleted language requiring local health departments to provide anyone who receives a COVID-19 vaccine or medicine to treat COVID-19 with the following information in writing: the ingredients of the vaccine or medication, the known risks or side effects and the most recent information from the federal vaccine adverse event reporting system.

#### Kansas Department of Aging and Disability Services:

- Added language directing the agency to reimburse providers the opioid use disorder services for all allowable purposes under federal guidelines.

#### Medicaid Inspector General:

- \$340k but no additional full-time employees for the Medicaid inspector general's office.

[Conference Committee Report for Senate Bill 169](#): Provides an income tax rate increase 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, discontinuing the food sales tax credit, decreases the privilege tax normal tax, establishing a 0 percent state rate for sales and use 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. The motion to adopt passed the House on a vote of [85-38](#) and passed the Senate [24-13](#).

[Conference Committee Report for Senate Bill 42](#): Relates to the hospital provider assessment; exempts rural emergency hospitals from such assessment; relates to the qualifications of hospital board members; requires a member be a qualified elector of the county where the hospital is located or a qualified elector of an adjacent county and owner of real property in the hospital taxing district and a majority of members be residents of the county where the hospital is located. The House approved on a vote of [82-41](#), and the Senate on a vote of [38-1](#).

[Conference Committee Report for Senate Bill 26](#): Allows an individual who had gender reassignment service performed as a child to bring a civil cause of action under the Act against the physician who performed such service. The bill establishes the statute of limitations for such cause of action, the medically verifiable disorders of sex development to which the Act would not apply, the relief that could be sought, and the time frame to which the Act would apply. The provisions of the Act would not apply if the child was born with a medically verifiable disorder of sex development, as defined in the bill. The bill also requires the Kansas State Board of Healing Arts (Board) to revoke the license of a physician who performed a childhood gender reassignment service. The House passed on a vote of [70-52](#) and the Senate on a vote of [23-12](#).

[House Bill 2214](#): Changes the name of the Larned Correctional Mental Health Facility to the Larned State Correctional Facility and removes references to the facilities that no longer exist. Saw a motion to concur by the House, which passed on a vote of 122-0.

[House Bill 2094](#): Continues the existing statutory requirement that parents cooperate with child support services administered by the Kansas Department for Children and Families as a condition of receiving a child-care subsidy and maintains the periods of ineligibility for a child-care subsidy for non-cooperation. The bill requires the KDCF secretary or the secretary's designee to review a parent's child support compliance at certain specified times. The bill also amends law pertaining to eligibility requirements for the food assistance program (Supplemental Nutrition Assistance Program or SNAP) to require work registrants ages 50 through 59 without dependents who are not exempt under federal law to participate in an employment and training program. The bill makes technical amendments to remove duplicative language defining "non-cooperation" and to replace references to "child-care benefits" with "child-care subsidy" in continuing law governing the assignment of support rights to the secretary by applicants and recipients of a child-care subsidy when cooperating with child support services. The report passed the House on a vote of [80-42](#) and in the Senate on a vote of [26-12](#).

[Conference Committee Report for Senate Bill 228](#): Modernizes statutes concerning county jails, removes the requirement that every county shall have a jail, modifies procedures used when district courts commit prisoners to jail in another county and when counties contract with city jails to keep prisoners; requires a medical examination before certain United States prisoners or city prisoners are taken into the custody of a county jail. The motion passed the House on a vote of [86-37](#), and the Senate on a vote of [33-3](#).

[Conference Committee Report for House Bill 2264](#): Relates to abortion; requires certain notifications that a medication abortion may be reversed; excludes certain procedures from the definition of abortion. The report was adopted in the Senate on a vote of [26-11](#), and in the House of a vote of 80-38.

[Conference Committee Report for House Bill 2014](#): Certain state public health and safety personnel; relates to the state fire marshal; eliminates the statutory qualifications of the chief inspector and deputy inspector for boiler safety; relates to emergency medical services; eliminates the designation and certification of instructor-coordinator. The report passed the House on a vote of [122-1](#), and the Senate on a vote of 40-0.

[Conference Committee Report for House Bill 2024](#): Children and minors; relates to the revised Kansas Code for the Care of Children, federal Indian Child Welfare Act, Newborn Infant Protection Act; relates to procedures in investigations of child abuse or neglect; requires a child abuse review and evaluation referral; creates a program in the Kansas Department of Health and Environment for the training and payment for child abuse reviews and exams; enacts the Representative Gail Finney Memorial Foster Care Bill of Rights; grants rights to kinship caregivers under the revised Kansas Code for the Care of Children; allows the surrender of physical custody of an infant to a newborn safety device; requires inquiries and reporting of Indian-child status; adds the requirement of great bodily harm to the crime of child abandonment to qualify for immunity. The report passed the Senate on a vote of [36-1](#) and the House on a vote of 116-0.

[Conference Committee Report for House Bill 2094](#): Public assistance; relates to child-care assistance; non-cooperation with child support; requires the secretary to conduct reviews of cooperation; requires work registrants aged 50 through 59 to complete an employment and training program to receive food assistance. The report passed the Senate on a vote of [26-12](#) and the House on a vote of [80-42](#).

[Conference Committee Report for Senate Bill 123](#): Enacts the Kansas Adult Learner Grant Act; establishes a grant program for adult learners to pursue certain fields of study; provides for workforce retention income tax credits; creates the Kansas Adult Learner Grant Program Fund; enacts the Career Technical Education Credential and Transition Incentive for Employment Success Act; requires school districts to pay for the cost of assessments for students to obtain an approved career technical education credential; relates to residency determination of certain students; deems veterans and dependents or spouses of such veterans who were stationed in the state for at least 11 months as residents for purposes of tuition and fees; expands the eligible fields of study under the Kansas Promise Scholarship Act; establishes a maximum scholarship amount for certain private postsecondary educational institutions. The report passed the House on a vote of [122-1](#) and the Senate on a vote of [35-2](#).

[Conference Committee Report for House Bill 2060](#): Relates to postsecondary and postgraduate programs; authorizes payments from the State Safety Fund to community colleges for the provision of drivers education; increases the number of osteopathic medical service scholarships; includes obstetrics and gynecology in the Medical Student Loan Act and Medical Residency Bridging Program; increases the number of loan agreements in the Medical Student Loan Act; establishes the OB-GYN Medical Loan Repayment Fund and the OB-GYN Medical Residency Bridging Fund; authorizes the provision of tools, supplies and examinations for participants in an AO-K career pathway program; including high school equivalency credentials in performance-based payments for postsecondary educational institutions. The report passed on a vote of [32-3](#) in the Senate.

[Conference Committee Report for 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. The House approved the report on a vote of [110-12](#) and the Senate on a vote of [37-3](#).

Legislation that did not garnering enough votes for passage:

[Conference Committee Report for House Bill 2390](#): Requires the secretary of the Kansas Department of Health and Environment to study overdose deaths and maintain the confidentiality of the records used by the secretary in the study. The bill restricts the duties and authority of the secretary and local health officers regarding infectious and contagious diseases. The bill defines the definition of COVID-19 vaccine and prohibits the secretary from requiring such vaccine for any child cared for in a childcare facility, any student enrolling or enrolled in a school for the first time, any child enrolling or enrolled for the first time in a preschool or daycare program operated by a school, and any other such students as may be designated by the secretary, prior to admission or attendance at school. The bill creates an exemption provision to vaccine requirements for individuals at childcare centers and schools for sincerely held religious beliefs, as defined by the bill, and prohibits further inquiry of the sincerity of the belief. The report did not pass in the Senate on a vote of [19-18](#). The motion to reconsider failed.

The budget committees will begin meeting April 24 and 25, with the rest of the legislature returning on April 26.

### **Now Is a Great Time to Visit with Legislators**

A reminder that now is a great time to visit with legislators about priority issues for you and your hospital. To find your policymaker and arrange a visit you can use the [KHA Advocacy Tool](#). You can also reach out any time to [Tara Mays](#) at (785) 233-7436 for assistance in arranging a visit with your state-elected officials.

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

Next week, the legislature will not be in session. They will return on April 26.

### **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.