



***KHA's Capitol Comments***  
**March 19, 2024**

**Senate Public Health and Welfare Hears/Works Bills**

Today, the Senate Public Health and Welfare Committee, chaired by Sen. Beverly Gossage (R-Eudora), held a hearing on [House Bill 2754](#). The legislation allows counties to exempt themselves from school health inspections. The committee also heard [House Bill 2749](#). The legislation requires medical care facilities and providers to report the reasons for each abortion performed at such facility or by such provider to the secretary of the Kansas Department of Health and Environment.

The committee also took up final action on the following bills:

- [House Bill 2777](#) prohibits the state fire marshal and state fire marshal representatives from wearing or operating a body camera during an on-site inspection. The committee amended the bill to clarify a photo could be taken of any violations. The committee amended the bill favorably as amended. The legislation now goes to the Senate floor.
- [House Bill 2547](#) authorizes schools to maintain certain emergency medication kits and to administer such medication in emergencies. The committee saw an amendment by Senator Mark Steffan (R-Hutchinson) to delete liability protection language.

The committee meets tomorrow to continue working bills.

**Senate Financial Institutions and Insurance Hears Bill on Electronic Delivery of Insurance Policies**

Today, the Senate Financial Institutions and Insurance Committee, chaired by Sen. Jeff Longbine (R-Emporia), held a hearing on [Senate Bill 553](#). The legislation permits a plan sponsor to authorize electronic delivery as the standard method of delivery of all plan documents and health insurance identification cards made to covered persons by the health benefit plan. The Kansas Hospital Association [submitted testimony](#) to ask the committee to consider similar language to require the process of prior authorization also to be done through electronic delivery.

The committee will work the legislation tomorrow.

## **The House Debates the Budget Bill Makes Amendments**

Today, the House of Representatives worked the House budget bill, [Substitute for House Bill 2273](#). The budget contains several components:

- \$60.9 million, including \$23.4 million State General Fund, in one-time funding to continue the Medicaid add-on payment to nursing facilities based on the number of Medicaid patients served for fiscal year 2025 only.
- \$48.3 million, including \$18.6 million SGF, to increase the average reimbursement rate for agency-directed personal care services on the Frail Elderly waiver to \$30 per hour.
- \$45.8 million, including \$17.8 million SGF, to add 500 slots each to the Intellectual / Developmental Disability waiver and the Physical Disability waiver.
- \$45.2 million, including \$17.9 million SGF, to raise all Medicaid outpatient hospital provider codes by 30.0 percent.
- Add \$2.5 million, including \$1.0 million SGF, to increase the Medicaid rates for obstetrics and gynecology codes by 15.0 percent for FY 2025.
- \$33.9 million, including \$13.6 million SGF, to increase physician provider codes that are currently below 79.5 percent of the Medicare rate or have no equivalent Medicare rate, by 15.0 percent.
- \$26.0 million, including \$10.0 million SGF, to increase rates on Brain Injury, Physical Disability, Autism, Frail Elderly, and Technology Assisted waivers to match the rates offered on the Intellectual / Developmentally Disabled waiver.
- \$15.0 million SGF for the Western Kansas Nursing Initiative.
- \$14.3 million SGF for apprenticeship programs at two-year institutions.

During the debate, several amendments were made. Among those included:

- Language allowing the hospital provider assessment rate to increase to between 5 percent and 6 percent.
- An amendment mirroring the Senate language prohibiting drug manufacturers from interfering with the 340B Drug Discount Program.

The House will reconvene tomorrow for a final budget vote.

## **First Health Conference Committee Meets Recommends Bill**

Today, was the first conference committee between the Senate Public Health and Welfare Committee and the House Health and Human Services Committee. The committee discussed the differences in the House and Senate positions on [Senate Bill 233](#). The legislation restricts the use of state funds to promote gender transitioning, prohibits health care providers from treating children whose gender identity is inconsistent with the child's sex, authorizes a civil cause of action against health care providers for providing such treatments, requires professional discipline against a health care provider who performs such treatment, prohibits professional liability insurance from covering damages for health care providers that provide gender transition treatment to children and adds violation of the act to the definition of unprofessional conduct for physicians and nurses.

The committee saw an amendment on page 3, line 37 allowing a phase-in and phase-out for people currently under active treatment. It changes the effective date to upon publication of the statute book.

The legislation now runs across each chamber floor inside a conference committee report that is non-amendable.

### **Introduction of Bills**

[Senate Bill 554](#) – Concerns health and health care; relating to certain definitions; provides that a fertilized human ovum or embryo existing outside of the uterus of a human body shall not be considered an unborn child or human being

*–By Committee on Federal and State Affairs*

[Senate Bill 555](#) – Concerns health and health care; relates to medical cannabis; creates the Medical Cannabis Pilot Program Act; authorizes the secretary of the Kansas Department of Health and Environment to enter into contracts for the limited cultivation, processing and distribution of medical cannabis for patient use upon a physician's recommendation; imposes terms and conditions for such contracts; establishes requirements for physician certifications recommends medical cannabis use; levying an excise tax on the retail sale of medical cannabis; establishes the Medical Cannabis Refund Fund and the Medical Cannabis Research and Education Fund; creates the crime of unlawful storage of medical cannabis; makes exceptions to the crimes of unlawful manufacture and possession of controlled substances

*–By Committee on Federal and State Affairs*