



**Kansas Hospital**  
ASSOCIATION

# 2021 Turnaround Report

Each year, the Kansas legislative session's midpoint is commonly referred to as the "Turn Around" period. By rule, all bills, except those in exempt committees, have to be passed out of committee and reported favorably out of their chamber of origin. Exempt bills are noted below. Any bill that did not pass out of the chamber of origin will need to be referred to an exempt committee or be amended onto another bill to be considered. A recap of some of the activities for the first half of the 2021 Kansas Legislative Session is listed below.

## Medicaid Expansion

- Budget Committees have removed funds from the Governor's Budget Proposal related to Medicaid expansion in Kansas.
- The proposal by the Governor has been introduced in House and Senate Federal and State Affairs Committees, so those bills will be exempt from legislative deadlines. The bill in the Senate is now [Senate Bill 287](#), but the House bill has not yet been assigned a number. The bills tie Medicaid expansion to medical marijuana regulation. It is unclear at this time if the bills will receive a hearing.

## HCAIP Provider Rate

- The Senate and House budgets both include proviso language ensuring that the state will maintain current HCAIP provider rates until CMS approves the increase in the assessment rate.

## Telemedicine

- [House Bill 2206](#) (exempt) updates certain definitions, referral to specialty services, and coordination of care provisions in the Kansas telemedicine act. The bill received a hearing in House Health and Human Services, and interested stakeholders were asked to work out agreements. The bill was moved from a non-exempt to an exempt committee to keep the discussions related to HB 2206 alive during this session.
- [Senate Bill 248](#) (exempt) updates certain definitions, referral to specialty services, and coordination of care provisions in the Kansas telemedicine act. The bill has not yet received a hearing.
- [House Bill 2208](#) (non-exempt) authorizes telemedicine waivers for out-of-state healthcare providers, reducing certain licensure requirements by the behavioral sciences regulatory board, expanding out-of-state temporary permits to practice behavioral sciences professions. The bill passed the House on a vote of 124-0.
- [Senate Bill 238](#) (non-exempt) establishes certification and funding for certified community behavioral health clinics, authorizing telemedicine waivers for out-of-state healthcare providers, reducing certain requirements for licensure by the behavioral sciences regulatory board, and expanding out-of-state temporary permits to practice behavioral sciences professions. The bill passed the Senate on a vote

of 38-1. An amendment was attempted in the Senate to add Medicaid expansion but failed on a vote of 12-23.

- [Senate Bill 207](#) (non-exempt) providing additional regulation and restrictions for out-of-state doctors to practice telemedicine in the state of Kansas. The bill did not receive a hearing, and will not be discussed again this session.

#### Rural Emergency Hospital Bills

- [Senate Bill 175](#) (non-exempt) would create a Rural Emergency Hospital licensure designation. The bill passed the Senate on a vote of 39-0. The bill was referred to the House Health and Human Services Committee. The bill did not receive a hearing and will not be discussed again this session.
- [House Bill 2261](#) (non-exempt) would create a Rural Emergency Hospital licensure designation. The bill had a hearing in House Health and passed out of committee.

#### Vaccinations

- [Senate Bill 213](#) (exempt) would prohibit an employer from taking any adverse employment against an employee because of the employee's vaccination status. The bill had a hearing in Senate Commerce, but the committee did not take action. The bill was moved to an exempt committee by Senate leadership so it can be further reviewed this session.
- [Senate Bill 212](#) (exempt); would prohibit the secretary of health and environment from permanently requiring additional immunizations to attend a childcare facility or school. The bill did not have a hearing but was blessed by Senate leadership.

#### Medical Marijuana

- [House Bill 2184](#) (exempt) creates the Kansas medical marijuana regulation act. The bill would allow for the growing, harvesting, processing, dispensing, and use of marijuana under certain circumstances. It would create oversight, licensing, and structure for medical marijuana. The bill received a three-day-long hearing in the House Federal and State Committee, and the committee has taken no action at this time.

#### Step Therapy

- [House Bill 2157](#) (non-exempt) establishes restrictions on health insurance use of step therapy protocols. The bill was heard in House Health and Human Services, but no committee action was taken on the legislation. Therefore, since this legislation is non-exempt, it will not be discussed again this session.

#### Rural Kansas Bills

- [Senate Bill 216](#) (exempt); extends the eligible time period for rural opportunity zones loan repayment program and income tax credit. The bill has not yet had a hearing.
- [Senate Bill 217](#) (exempt); adding certain counties to the list of eligible rural opportunity zone counties. The bill has not had a hearing.
- [House Bill 2174](#) (exempt); establishes a rural hospital innovation grant program to assist rural hospitals in serving rural communities. The House Appropriations Committee held a hearing but did not take action at this time.
- [House Bill 2237](#) (exempt); extending the eligible time period for rural opportunity zone loan repayment program and income tax credit. The bill passed the House on a vote of 107-16 and was referred to Senate Tax Committee.

### Administration of Drugs by a Pharmacist

- [Senate Bill 200/ House Bill 2385](#) (non-exempt) would expand the pharmacist's scope of practice to include point-of-care testing for and treatment of certain health conditions. The bill had a hearing in the Senate Public Health and Welfare Committee, but no action was taken. The bill was not heard in the House Committee. Neither bill will be discussed again this session.

### Licensure of Physical Therapists

- [House Bill 2279](#) (non-exempt), as amended, would enact the physical therapy licensure compact and authorize criminal history record checks. The bill passed the House on a vote of 122-2.

### APRN Independent Practice

- [Senate Bill 174](#) (non-exempt); would update the scope of practice requirements for advanced practice registered nurses without supervising physicians, imposing requirements, and updating certain licensure requirements. The bill was heard in committee, but no action has been taken. Senate leadership blessed the bill.
- [House Bill 2256](#) (non-exempt); would update the scope of practice requirements for advanced practice registered nurses without supervising physicians, imposing requirements therefor and updating certain licensure requirements. The bill was heard in committee, but no action has been taken. The bill will not be discussed again this session.

### Licensure Bills

- [Senate Bill 137](#) (non-exempt), expanding military spouse and service member's expedited licensure law to all applicants who have established or intend to establish residency in Kansas, providing licenses in an emergency declared by the legislature, allowing telemedicine by out-of-state healthcare providers and permitting the use of electronic credentials. The bill had a hearing in Senate Commerce but was not worked by the committee, and will not be discussed again this session.
- [Senate Bill 10](#) (non-exempt) enacting the right to earn a living act to minimize unnecessary occupational licensing and regulation. The bill received a hearing, interested stakeholders were called together to discuss further, but the bill did not meet the turnaround deadline. The bill will not be discussed again this session.
- [House Bill 2066](#) (non-exempt); shortens the period for regulatory bodies to issue occupational credentials to military service members or those spouses seeking to establish residency in Kansas. The bill would expand and clarify existing conditions on expedited occupational credentials and permit temporary credentialing during states of emergency and the use of electronic credentials. The bill passed the House on a vote of 103-21.

### Newborn Screening

- [House Bill 2250](#) (exempt) would update statutes related to newborn screening and designate those within the Universal Newborn Screening Program and increase funds transferred to the Kansas newborn screening fund. The bill was passed by the Social Services Budget Committee and is awaiting action by the full House.
- [Senate Bill 155](#) (exempt) would expand newborn screening services and increasing transfers from the medical assistance fee fund to the Kansas newborn screening fund. The bill was referred to Senate Public Health and Welfare and has not yet had a hearing.

## Tobacco 21

- [House Bill 2340](#) (exempt); increases the minimum age to 21 to purchase or possess cigarettes and tobacco products. The House Federal and State Affairs Committee recommended the bill favorably, but the full House has not yet worked the bill.

## Healthcare Stabilization Fund

- [House Bill 2380](#) (exempt); amending healthcare stabilization fund minimum professional liability insurance coverage requirements and the membership of the board of governors of such fund. The bill had a hearing in House Insurance and Pensions and was blessed by House leadership.

## Trauma Advisory Council

- [Senate Bill 170](#) (exempt); making permanent provisions for the advisory committee on trauma and the statewide trauma system regional council to conduct closed meetings and keep privileged records regarding trauma cases. The Senate passed the bill on a vote of 39-0.
- [House Bill 2158](#) (non-exempt); making permanent provisions for the advisory committee on trauma and the statewide trauma system regional council to conduct closed meetings and keep privileged records regarding trauma cases. The bill passed the House on a vote of 121-1.

## Behavioral Health

- [House Bill 2160](#) (exempt); establishes certification and funding for certified community behavioral health clinics. The committee recommended the bill be passed. House leadership blessed the bill.
- [House Bill 2281](#) (exempt); establishes and implements the 988-suicide prevention and mental health crisis hotline. The House Health and Human Services Committee recommended the bill be passed as amended, and leadership has blessed the bill.
- [House Bill 2373](#) (exempt); Requiring the Kansas Department of Aging and Disability Services to establish and implement a mobile crisis services program for individuals with an intellectual or developmental disability. The bill was recommended favorably by the House and Human Services Committee and was blessed by House Leadership.

## Drug Treatment

- [Senate Bill 264](#)/[House Bill 2412](#) (exempt); enacting the Kansas fights addiction act to establish a grant program for the purpose of preventing, reducing, treating, and mitigating the effects of substance abuse and addiction. The bills have no hearing scheduled at this time.

## Surprise Billing

- [House Bill 2325](#) (non-exempt); prohibiting certain billing practices by health insurers and enacting the surprise medical bills act. The bill did not receive a hearing and will not be discussed again this session.

## Kansas Emergency Management Act

- [Sub for Senate Bill 273](#) (exempt); will create a new Kansas Emergency Management Act structure specific to public health disasters. The bill dictates a process of review for executive orders and disaster declarations. The process of review includes the Attorney General and a special committee of legislators to review. The bill limits the Governor and county health officer's authorities to restrict gatherings, business, and commercial activity, or healthcare services. The bill passed the Senate on a vote of 27-12. The bill is now in conference.

- [House Bill 2416](#) (exempt); will create and amend the law regarding the Kansas Emergency Management Act structure. The bill creates a new section allowing oversight of disaster emergency declarations and executive orders (EO) by the Legislative Coordinating Council (LCC) and sets up a review by the Kansas Attorney General. The legislation creates three options for the LCC, to amend the proposed EO, request a new EO or deny the EO. The bill passed the House on a vote of 81-40.

#### Liability Extensions

- [Senate Bill 283](#) (non-exempt) extending business and healthcare liability coverage until March 31, 2022. The bill, as amended, includes necessary extensions for liability and regulatory flexibilities for healthcare as requested by KHA until March 31, 2022. The bill passed the Senate on a vote of 31-8.
- [House Bill 2126 \(non-exempt\)](#); provides immunity from civil liability for COVID-19 claims for adult care facilities. The bill passed the House on a vote of 85-37.

#### Pharmacy Bills

- [House Bill 2253](#) (exempt); updating certain provisions of the prescription monitoring program act relating to program data, storage, and access, increasing the advisory committee's membership and providing for setup and annual maintenance fees for the program data integration. The bill does not have a hearing set at this time.
- [Senate Bill 251](#) (exempt); updating statutes relating to the powers, duties, and functions of the state board of pharmacy. The bill was referred to Senate Public Health and Welfare and has not had a hearing.
- [House Bill 2280](#) (non-exempt); updating statutes relating to the state board of pharmacy's power, duties, and functions. The House passed the bill on a vote of 116-8.
- [Senate Bill 128 \(non-exempt\)](#)/House Bill 2260 (non-exempt); prohibiting disparate treatment by pharmacy benefits managers of certain pharmacies and pharmaceutical service providers. The bills did not receive a hearing and will not be discussed again this session.

#### Health Care Benefits

- [Senate Bill 199](#) (exempt); providing for short-term, limited-duration health plans. The bill had a hearing in Senate Financial Institutions and Insurance. The bill was not worked but was blessed by Senate leadership.
- [House Bill 2110](#) (non-exempt); requiring insurance coverage for PANS and PANDAS by the state health care benefits program and requiring the state employee health care commission to submit a report. The bill received a hearing but was not worked, and will not be discussed again this session.

#### Naturopathic Doctors

- [Senate Bill 274](#) (exempt); amending the scope of practice, discipline by the board, and license renewal procedures for naturopathic doctors. The bill was referred to Senate Public Health and Welfare.
- [Senate Bill 275](#) (exempt); allowing naturopathic doctors to engage in the corporate practice of medicine. The bill has been referred to Senate Public Health and Welfare.

#### Adult Residential Care Facilities

- [House Bill 2004](#) (exempt) creating the right to appeal an involuntary discharge or transfer. The bill had a hearing but was not worked by the committee. House leadership blessed the bill.
- [House Bill 2114](#) (non-exempt); establishes a Kansas senior care task force. The bill passed the House on a vote of 113-8 and was referred to Senate Public Health and Welfare.

- [House Bill 2151](#) (non-exempt); creates Kansas elder and dependent adult abuse multidisciplinary teams and a coordinator. The bill passed the House on a vote of 121-0.
- [House Bill 2153](#) (non-exempt); increases the penalty for mistreatment of a dependent adult or elder person when the victim is a resident of an adult care home. The bill passed the House on a vote of 124-0.

#### Other

- [House Bill 2234](#) (non-exempt); requiring medical directors of emergency medical services to provide medical oversight of such services and emergency medical service providers. The bill passed the House on a vote of 123-1 and will now go to the Senate.
- [House Bill 2248](#) (exempt); increasing state financial assistance to local health departments under specified circumstances. The bill was heard in the House Committee on Social Services Budget and was recommended for passage by the committee.
- [House Bill 2249](#) (exempt); sets the protected income level for persons receiving home and community-based services at 150% of federal supplemental security income. The bill had a hearing in House Social Services Budget Committee.
- [House Bill 2259](#) (non-exempt); permitting the use of expedited partner therapy to treat a sexually transmitted disease. Passed the House on a vote of 75-49.