



Kansas Hospital
ASSOCIATION

2024 Legislative Preview

2024 begins the second half of the biennium. All bills from 2023 will carry over to the new session starting on Jan. 8.

Major policy items have included work by the legislature during the interim. A budget surplus is a central focus of what policies and state investments are built upon. Following a session without a significant tax bill, the legislature will see that as a priority issue heading into 2024.

Interim committees also have spent time exploring property tax relief, homelessness, childcare, nursing facilities reimbursement, mental health, intellectual development disability waivers, restricted driving privileges, legislative compensation, child welfare system oversight, campaign finance reforms, foreign investment land purchases, elections and education.

Since September, Governor Laura Kelly has traveled the state on her Healthy Workers, Healthy Economy tour, emphasizing the need for Medicaid Expansion.

Other resources for KHA members include the 2023 Last Bill Tracker Report and the 2023 Legislative Wrap-Up.

Kansas State Budget and Medicaid

Kansas State Budget

In 2023, the legislature passed [House Bill 2184](#), which included expenditures of \$16.8 billion, including \$4.8 billion from the State General Fund. The amount is an all-funds decrease of \$7.3 billion, including \$4.8 billion from the State General Fund from the Governor's FY 2024 recommended budget.

November Consensus Revenue Estimate numbers indicate Kansas will have an ending balance of \$3.5 billion, with \$1 billion of that tied to one-time federal funds enhanced through the Federal Medical Assistance Percentage. That additional funding is slated to end at the end of the year. The state also has a budget stabilization fund balance (sometimes called the rainy day fund) of \$1.7 billion in fiscal year 2025. The Consensus Estimate group estimates the tax receipts for fiscal year 2025 will be estimated at \$10.13 billion, a decrease of 0.6 percent over

fiscal year 2024. These estimates are what the Governor's staff and the 2024 legislature will use to build the following year's state budget.

These estimates will largely shape the budget discussion headed into the legislative session.

Medicaid

During the 2023 session, Governor Laura Kelly proposed an expansion of Medicaid and included expansion funding in her proposed budget. However, the proposal didn't receive a hearing in either the House or the Senate. Consequently, the associated funds were removed from the legislature's appropriations recommendations.

Discussion on the topic during the 2024 session will likely focus on how expansion could be tied to workforce and mental health needs.

During the 2024 legislative session, the new Managed Care Organization request for proposals are likely to be a topic of discussion as those contractual arrangements include expenditures from the legislature.

Health

Telehealth

Legislation that would create a task force, develop fair payment parameters for in-state providers and protect from requirements around certain telehealth platform adoption was introduced in [Senate Bill 246](#) and [House Bill 2337](#) in 2023, the legislation did not receive a hearing but will carry over to 2024.

Pharmacy

Legislation allowing patients to be prescribed prescription drugs approved for "off-label use" has been introduced in previous sessions and will be alive again in 2024, including [Senate Bill 173](#) and [House Bill 2126](#).

Legislation on the 340B drug pricing program was introduced in the 2023 session, including [Senate Bill 236](#). A focus on the contract pharmacy limitations is likely during the 2024 session.

Visitation Policies

During the 2023 legislative session, the House and Senate negotiated a bill adopting visitation rules in hospitals and long-term care settings. Consensus was not reached between the House and Senate positions was reached. [House Bill 2161](#) will carry over into 2024.

Discharge Policies for Long-Term Care

[Senate Bill 191](#) seeks to change requirements for involuntary discharge at adult-care homes. The topic received a hearing in both the House and Senate and will likely focus on applying landlord/tenant laws to long-term care settings during the 2024 session.

Prior Authorization

[Senate Bill 142](#)/[House Bill 2283](#) were introduced to create more efficiency and transparency in the prior authorization process for Kansas providers. The House Insurance Committee held a hearing, and there could be additional discussion on those bills during the 2024 legislative session. [House Bill 2259](#) provides certain medications for mental health do not require prior authorization.

Requirements for Automated External Defibrillator Devices

Legislation could be introduced to require schools to have automated external defibrillator devices.

Maternal Health

[Senate Bill 118](#) concerns the study and investigation of maternal deaths in Kansas. The topic received informational hearings during the 2023 session, but no bill has been considered. More discussion could occur during 2024.

Newborn Screen Fee Fund

[Senate Bill 139](#) expands newborn screening services and increases the transfer from the Medical Assistance Fee Fund rather than it being an annual line-item in the budget, ensuring funds do not come from other fees.

Peer Review Privilege

[House Bill 2171](#) provides that peer review privilege for health care providers doesn't apply to factual information.

Workers' Compensation

Permanent Total Disability

[Senate Bill 38](#) increases the maximum compensation benefits payable by an employer for permanent total disability suffered by an injured employee. The legislation received a hearing in Senate Commerce during the 2023 session.

First Responders PTSD

[Senate Bill 165](#) would change workers' compensation benefits for first responders who have post-traumatic stress disorder.

Licensure/Scope of Practice

Death Certificates

[House Bill 2358](#) would permit mid-level practitioners to complete death certificates.

Massage Therapist Licensure

[Senate Bill 111](#) and [Senate Bill 305](#) would amend the Massage Therapist Licensure Act.

Nurse Anesthetists Scope

[Senate Bill 112](#) would amend the scope of practice for nurse anesthetists to allow independent practice. The bill passed the Senate in 2023 and is likely to be discussed in 2024.

Naturopathic Scope

[Senate Bill 121](#) would broaden the scope of practice for naturopathic doctors.

Social Worker Licensure

[Senate Bill 176](#) and [House Bill 2340](#), social worker clinical staffing licensure.

EMS

Minimum Operation in Rural Areas

Legislation to allow ambulances to operate with one EMS in rural counties received a hearing in 2023 and is likely to carry over into 2024 in [Senate Bill 212](#).

Workforce

Preceptor Tax Credit

Legislation may be pursued in Kansas, providing a tax credit for those serving as preceptors or mentors in health care settings.

Certified Nurse Aid Course

[House Bill 2049](#) reduces the length of nurse aid course requirements to 75 hours. The legislation had a hearing in 2023.

Increase in Nursing Initiative Grant

The Kansas Board of Regents has voted to seek additional grant funding for the next budget year to increase funds for nursing grants. These funds can be used for programs at higher education institutions in the state.

Nursing Program Alignment

The Kansas Board of Regents is working to align nursing school programs making it easier to navigate the nursing program course paths into higher levels of learning. While there isn't likely to be legislation, the topic could be discussed during hearings.

Staffing Agency

[Senate Bill 277](#) and [House Bill 2265](#) would provide reporting requirements and agency oversight of supplemental nurse staffing agencies.

Child Care

Legislation that would reform the state oversight structure of child care licensing and resources, in addition to more funds for providers, is likely to be considered. Additionally, the legislature will likely be interested in further exploring changing staffing ratios after the veto of the 2023 [House Bill 2344](#). Other carry-over bills on the topic include [Senate Bill 96](#) and [Senate Bill 282](#).

Miscellaneous

340B Drug Pricing Program

There may be an effort to introduce legislation prohibiting limitations to contract pharmacies in the 340B Drug Pricing Program in Kansas. [Senate Bill 236](#) requires drug manufacturers to provide pricing under 340B.

Medical Marijuana

Medical marijuana has been a frequent topic of discussion at the statehouse, with an interim committee dedicated to further researching the topic. In 2021, a bill to create the Kansas Medical Marijuana Regulation Act to define terms, amend criminal penalties and create drug schedule re-programming passed the House in [House Sub for SB 158](#). The Senate held hearings on the topic in 2023, but the following are carry-over bills: [Senate Bill 135](#), [Senate Bill 171](#), [Senate Bill 310](#), [House Bill 2367](#) and [House Bill 2417](#).

Transgender Youth Care

Policymakers may look to discuss, as they have in other states, policies related to transgender care for youth. The following are carry-over bills on the topic: [Senate Bill 12](#) and [Senate Bill 233](#) (passed the Senate). Additionally, [Senate Bill 26](#) passed both the House and the Senate but was vetoed in 2023.

Prescription Monitoring Program

Legislation may be introduced requiring any prescriber, as defined in KSA 65-1626, who holds a current registration issued by the drug enforcement agency and prescribes controlled substances to register with K-TRACS. In addition, it requires them to pay additional fees associated with the program's administration, which is currently funded from a combination of fees and grants.

Vaccinations

Legislation limiting vaccination requirements is likely to continue to be a discussion in 2024. The following are carry-over bills on the topic from the 2023 session: [Senate Bill 6](#) (passed the Senate), [Senate Bill 20](#), [Senate Bill 314](#) (passed the Senate) and [House Bill 2007](#).

Presumptive Eligibility

[Senate Bill 501](#), introduced in 2022, eliminates presumptive eligibility for hospitals in Kansas, changes requirements for those receiving food assistance, and requires state agencies to conduct cross-checks to verify eligibility. Similar legislation could surface in 2023.

Information Sharing

[Senate Bill 234](#) would prohibit government entities from sharing information for social service purposes. The legislation received a hearing in 2023 and will carry over into 2024.