



KHA's Capitol Comments
February 23, 2024

House Amends REH Bill and Votes It Down to Ensure Protections for Hospitals

This week, the House took up [House Bill 2637](#), which would expand eligibility for rural emergency hospital licensure to facilities that meet criteria at any point after 2015. The bill was amended on the floor in a way that could have prevented any hospital within 35 miles of an existing hospital from becoming a rural emergency hospital.

The House, having voted the amendment onto the bill, saw lawmakers change their vote on the bill to ensure hospitals won't have to meet any mileage requirements. The bill, as amended, failed on a vote of [58-62](#).

The House also took action on the following bills during their day-long session on Thursday:

[House Bill 2484](#) – Enacts the Social Work Licensure Compact to provide interstate practice privileges for social workers. [118-2](#)

[House Bill 2487](#) – Provides immunity from prosecution for certain drug crimes when persons seek or provide medical assistance related to the use of a controlled substance. 120-0

[House Bill 2547](#) – Authorizes schools to maintain certain emergency medication kits and to administer such medication in emergencies. [116-4](#)

[House Bill 2579](#) – Authorizes the Kansas Board of Emergency Medical Services to distribute non-prescription over-the-counter medications. 120-0

[House Bill 2596](#) – Adds and removes certain substances in schedules I, II, IV and V of the Uniform Controlled Substances Act and makes conforming changes to the criminal code definition of "fentanyl-related" controlled substances. 120-0

[House Bill 2614](#) – Requires state agencies to provide to the public notice of revocation of administrative rules and regulations and removes abolished state agencies from state agency review requirements. 120-0

[House Bill 2629](#) – Requires the secretary of the Kansas Department of Health and Environment to provide a death certificate of a child to the State Child Death Review Board, increases the number of board members, allows for compensation and provides for the disclosure of certain records to certain persons for securing grants. [119-1](#)

[House Bill 2690](#) – Abolishes the 911 Coordinating Council and establishes the Kansas 911 Board; abolishes the 911 Operations Fund, 911 Kansas Fund and 911 State Grant Fund outside of the Kansas Treasury and establishes the Kansas 911 Operations Fund, Kansas 911 Fund and Kansas 911 Grant Fund in the Kansas treasury; and authorizes counties to contract with other counties for the provision of 911 public-safety answering point. [117-3](#)

[House Bill 2751](#) – Authorizes the Kansas Department for Aging and Disability Services to condition or restrict a disability service provider license, grants the secretary authority to grant regulation waivers unrelated to health and safety and authorizes correction orders and civil fines to be appealed to the secretary. [111-9](#)

[House Bill 2645](#) – Amends the Nursing Service Scholarship Program to remove limits on the amount of awards and number of scholarships, removes the sponsorship requirement, modifies the interest rate terms for repayment obligations and abolishes the Nursing Service Scholarship Review Committee. 119-0

[House Bill 2646](#) – Modifies the financial limitations on awards under the Kansas Hero's Scholarship Act and broadens the eligibility requirements for such awards. [118-1](#)

[House Bill 2784](#) – Transfers authority for certification of continuing care retirement communities from the Kansas Insurance Department to the Kansas Department for Aging and Disability Services and lowers the nursing facility provider assessment for continuing care retirement communities. [118-1](#)

[House Bill 2745](#) – Provides military spouses of active military service members shall be exempt from all occupational licensing, registration and certification fees. 119-0

[House Bill 2777](#) – Prohibits an employee of the office of the Kansas Fire Marshal from wearing or operating a body camera during an on-site inspection at a patient care facility. [108-11](#)

[Sub for House Bill 2494](#) – Establishes policy requirements for cardiac emergency response plans for school districts and provides a grant program for the implementation of such policy. [117-2](#)

Senate Amends Hospital Visitation Bill to Backfill Possible Federal Funding Losses

The Senate debated [Senate Bill 352](#), the John D. Springer Patient's Bill of Rights. The legislation requires hospitals to allow in-person visitation, adopt visitation policies and procedures and creates a civil cause of action for violation of such rights. The bill was amended on a vote of [22-18](#) by Senator Kristen O'Shea (R-Topeka) to require backfill any federal funds that could be lost by the state. The bill, as amended, passed the Senate on a vote of [26-13](#).

The Senate also worked on the following bills:

[Senate Bill 338](#) – Changes certain reporting requirements of group-funded liability and workers' compensation pools. 40-0

[Senate Bill 345](#) – Enacts the Commercial Financing Disclosure Act. [38-2](#)

[Senate Bill 433](#) – Clarifies practice privileges of institutional license holders. [39-1](#)

[Senate Bill 491](#) – Standardizes criminal history record check fingerprinting language and defines who may be fingerprinted for a criminal history record check. 40-0

[Senate Bill 391](#) – Enacts the Constitutional Right to Health Freedom Act to regulate the activities of the secretary of the Kansas Department of Health and Environment related to public health functions; repeals statutes relating to the secretary's authority to quarantine individuals and impose associated penalties. [23-17](#)

Next Week's Schedule

Monday, Feb. 26

No session

Tuesday, Feb. 27

No session

Wednesday, Feb. 28

Senate Ways and Means – 10:30 a.m. – Room 548S

Budget reports: Kansas Department of Health and Environment – Health; Kansas Department for Children and Families

House Appropriations – 9:00 a.m. – Room 112N

Budget report out: Chairperson Mason, Social Services budget – Kansas Department of Health and Environment – Health; Kansas Department for Children and Families; Kansas Department for Aging and Disability Services; Kansas Commission on Veterans Affairs Office

Thursday, Feb. 29

Senate Public Health and Welfare – 8:30 a.m. – Room 142S

Informational hearing: [House Bill 2791](#) – Enacting the Forbidding Abuse Child Transitions Act – Restricts use of state funds to promote gender transitioning, prohibiting health care professionals from treating children whose gender identity is inconsistent with the child's sex, authorizes a civil cause of action against health care professionals for providing such treatments, authorizes professional discipline against a physician 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

Senate Ways and Means – 10:30 a.m. – Room 548S

Budget Reports: Health Care Stabilization Fund Board of Governors; Kansas Department for Aging and Disability Services

Senate Utilities – 1:30 p.m. – Room 548S

Hearing: [Senate Bill 487](#) – Authorizes counties to contract with other counties to share 911 public safety answering point services and authorizes the distribution of 911 fee money to counties for such purposes

House Appropriations – 9:00 a.m. – Room 112N

Budget report out: Chairperson Howe, Higher Education budget – Kansas Board of Regents; University of Kansas Medical Center

House Health and Human Services – 1:30 p.m. – Room 112N

Hearing: [House Bill 2791](#) – Enacting the Forbidding Abuse Child Transitions Act – Restricts the use of state funds to promote gender transitioning, prohibits health care professionals from treating children whose gender identity is inconsistent with the child's sex, authorizes a civil cause of action against health care professionals for providing such treatments, authorizes professional discipline against a physician 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

[House Bill 2792](#) – Prohibiting gender transition surgery on minors, authorizing professional discipline against a physician who performs such surgeries and adopts a standard of care for gender transition care services

House Elections – 3:30 p.m. – Room 218N

Hearing: [House Bill 2617](#) – Prohibits members of the legislature from voting on any legislative matter in which such member has a special interest

Friday, Mar. 1

No session

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 weekly while the legislators are in session.

Introduction of Bills

[Senate Bill 521](#) – Concerning insurance; relating to pharmacy benefit managers; imposing restrictions concerning the federal 340B Drug Pricing Program; enacting the Defense of Affordable Prescriptions Act to prohibit certain discriminatory actions related to reimbursement of entities participating in the 340B Drug Pricing Program – By Committee on Assessment and Taxation

[Senate Bill 527](#) – Concerning abortion; relating to unlawful coercion to obtain an abortion; creating the crime of coercion to obtain an abortion; providing the penalties therefor; providing for enhanced criminal penalties for offenses committed with the intent to compel a woman to obtain an abortion – By Committee on Federal and State Affairs

[House Bill 2804](#) – Concerning income taxation; relating to credits; providing for the Preceptor Income Tax Incentive Act; establishing credit for physicians and physician assistants that serve as a community-based faculty preceptor by providing personalized instruction, training and supervision for students – By Committee on Taxation, Requested by Dodie Wellshear on behalf of the Kansas Academy of Family Physicians

[House Bill 2805](#) – Concerning the Open Records Act; relating to public records; continuing in existence certain exceptions to the disclosure thereof – By Committee on Taxation, Requested by Representative A. Smith on behalf of the Office of Revisor of Statutes pursuant to K.S.A. 45-229

[House Bill 2809](#) – Concerning health and health care; creating the Every Mom Matters Act; establishing the Every Mom Matters Program in the Kansas Department of Health and Environment; requiring the state treasurer to contract with eligible organizations to provide information and support services to pregnant women and parents considering adoption; establishing the Every Mom Matters Program Fund – By Committee on Federal and State Affairs, Requested by Representative Moser

[House Bill 2810](#) – Concerning insurance; relating to the Kansas Life and Health Insurance Guaranty Association; including health maintenance organizations as member insurers therein; broadening the assessment base for long-term care insolvencies – By Committee on Federal and State Affairs, Requested by Travis Grauerholz on behalf of the American council of life insurers

[House Bill 2811](#) – Concerning children and families; relating to incarcerated expectant mothers; directing the Kansas Department of Corrections to establish a correctional center nursery; requiring the secretary of corrections to establish correctional center nursery policies and procedures; relating to the Kansas Family Law code; amending the factors considered in the

determination of legal custody, residency or parenting time; relating to the revised Kansas Code for Care of Children – By Committee on Appropriations, Requested by Representative Concannon on behalf of Representative Concannon and Senator O'Shea

[House Bill 2813](#) – Concerning abortion; relating to unlawful coercion to obtain an abortion; creating the crime of coercion to obtain an abortion; providing the penalties therefor; providing for enhanced criminal penalties for offenses committed with the intent to compel a woman to obtain an abortion – By Committee on Federal and State Affairs, Requested by Representative Schmoe

[House Bill 2814](#) – Concerning abortion; establishing the Kansas Ultrasound Act; requiring an obstetric ultrasound be performed on a woman prior to having an abortion; allowing a woman to avert her eyes from such images; establishing civil and criminal penalties for violations of the act; providing an emergency exception to the requirements of the act – By Committee on Federal and State Affairs, Requested by Representative Howell on behalf of Kansans for Life and Kansas Family Voice