



KHA's Capitol Comments **March 14, 2024**

Senate Non-Concurs with Bill Related to Gender-Affirming Care

Today, the Senate saw a motion to non-concur with the change the House made to [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 bill previously passed the house on a vote of: [80-40](#). The legislation now goes to conference committee made up of the chair, vice chair and ranking minority members of the health committees.

The Senate also made a motion to concur on House changes to [Senate Bill 307](#). The legislation adds for-profit private entity to the definition of "qualified applicant" in the Kansas Fights Addiction Act. The motion to concur passed on a vote of [39-1](#), the bill now goes to the governor.

Senate Passes the Budget Bill – Includes 340B Language

Today, the Kansas Senate took a final vote on the state budget bill, Substitute for [Senate Bill 514](#). The budget passed on a vote of [24-15](#).

Highlights from the bill include:

Health

- \$78.7 million, including \$30 million State General Funds, to increase Medicaid outpatient hospital reimbursement rates in fiscal year 2025 and \$157.4 million, including \$60 million SGF to increase Medicaid outpatient reimbursement rates in FY 2026
- \$15 million SGF in on-time funding for childcare sustainability and workforce grants
- \$25.7 million, including \$10.3 million SGF, to increase physician provider codes by 8.0 percent
- \$10 million to support hospitals with adult inpatient behavioral health services in Kansas
- \$6.2 million, including \$2.4 million SGF, to increase Program of All-Inclusive Care for the Elderly Medicaid rates to 90 percent of the amount that would otherwise have been paid if the participants were not enrolled in PACE

- \$25.7 million, including \$10.3 million SGF, to increase physician provider codes by 8.0 percent
- \$10 million to support hospitals with adult inpatient behavioral health services in Kansas
- \$6.2 million, including \$2.4 million SGF, to increase PACE Medicaid rates to 90 percent of the amount that would otherwise have been paid if the participants were not enrolled in PACE
- \$20.7 million SGF to cover the shortfall in contract nursing staff costs to Larned State and Osawatomie State Hospitals

Long-Term Care

- \$30.1 million, including \$11.7 million SGF, to continue the Medicaid add-on to nursing facilities in 2024 at a rate of \$10 per Medicaid day

Other Items

- \$10 million SGF for the Moderate Income Housing program to support housing and workforce development through a revolving loan fund
- \$10 million in additional grants to primary airports
- \$5.0 million SGF to Children's Cabinet to provide public-private partnership establishing ongoing sustainable, community-level childcare solutions with the Dane G. Hansen Foundation counties
- \$14.3 million for apprenticeship programs at two-year institutions
- \$4.4 million SGF for the Fight Against Fentanyl effort

Last night, the Senate also added an amendment for FY 2025 and FY 2026 to say the Kansas Consumer Protection Act and attorney general would appropriate funds to ensure drug manufacturers would not be able to deny, restrict, prohibit or otherwise interfere with the acquisition of a 340B drug by or delivery of a 340B drug to a pharmacy that is under contract with a 340B entity. The language and the rest of the Senate positions will be what goes to the conference committee made up of the chair, vice chair and ranking minority members of both the House and Senate. The House will likely debate its budget early next week.

Expansion Hearings Set for Mar. 20

The hearings on Medicaid Expansion have been set for Mar. 20. The legislation will be heard in the House Health and Human Services Committee and in a special committee in the Senate made up of Ways and Means and Senate Public Health and Welfare members.

The House Bill is [House Bill 2556](#). The Senate Bill is [Senate Bill 355](#). We encourage you to provide written testimony as time before each committee will be limited. Written testimony is due by 8:00 a.m. on Monday, Mar. 18. You can submit your testimony by emailing [Tara Mays](#).