



***KHA's Capitol Comments***  
**March 25, 2024**

**House and Senate Debate Bills**

Today, both the House and Senate debated bills before them. Among the scheduled work before the House, bills included:

[House Bill 2510](#) concerns the code of civil procedure, relates to litigation funded by third parties; limits discovery and disclosure of third-party agreements in certain circumstances; requires reporting of such agreements to the judicial council and a judicial council committee to study third-party agreements; requires the clerk of the supreme court to develop a form for reports; exempts such reports from the Open Records Act.

[Senate Bill 384](#) concerns health and health care; relates to emergency medical services; staffing of ambulances; and authorizes the Kansas Board of Emergency Medical Services to grant certain permanent variances from rules and regulations. The bill previously passed the Senate on a vote of 39-0. The House saw an amendment scrapping much of the agreed to language and stating the Board of EMS shall not require any vehicle providing emergency medical services in a city with a population of less than 50,000 or any county with a population of less than 50,000, to operate with any additional personnel other than the minimum personnel required. The amended bill will go for final vote.

[Senate Bill 434](#) concerns public health, relates to the practice of cosmetology; and exempts the practice of hair removal by sugaring from the definition of cosmetology. The bill previously passed the Senate on a vote of [38-1](#).

[Senate Bill 433](#) concerns health and health care, relates to institutional licenses; and clarifies practice privileges for those working for the Kansas Department for Aging and Disability Services. The bill previously passed the Senate on a vote of [39-1](#).

[House Substitute for Senate Bill 287](#) concerns health and health care; relates to children and minors; prohibits a health care provider from administering any drug or diagnostic test or conducting behavioral health treatment to a minor in a school facility without parental consent. The bill previously passed the Senate on a vote of 40-0.

[House Substitute for Senate Bill 143](#) concerns elevators; relates to the Elevator Safety Act; redefines the term elevator; modifies the requirements for licensure, inspections and testing of elevators and the adoption of rules and regulations by the state fire marshal; permits inspections by insurance companies; requires notification to the state fire marshal of certain elevator accidents; prohibits the use of elevators following such accidents until approved by the state fire marshal; provides for the use of labels by the state fire marshal to affix to elevators not authorized for use; provides that failure to notify the state fire marshal of an accident; removing an affixed label or operating an elevator in violation of an affixed label constitutes class A nonperson misdemeanors; removes requirements that licensed elevator inspectors conduct inspections and provides that licensed elevator mechanics or the employees of licensees may conduct such inspections. The bill previously passed the Senate on a vote of 38-0.

Also, today the Senate was slated to debate the following, among the bills before them:

[Senate Bill 488](#) concerns the attorney general; relates to the office of the inspector general and the powers, duties and responsibilities thereof; expands the power of the inspector general to investigate and audit all state cash, food and health assistance programs.

[House Bill 2749](#) concerns abortion; relates to reports on abortions performed in this state; requires the reporting of the reasons for each abortion performed at a medical care facility or by a health care provider. The bill previously passed the House on a vote of [81-39](#).

[House Bill 2484](#) concerns the Kansas Behavioral Sciences Regulatory Board; relates to social work; enacts the Social Work Licensure Compact to provide interstate practice privileges; requires applicants for social work licensure to submit to a criminal history record check; authorizes the Kansas Behavioral Sciences Regulatory Board to establish a fee for a license with compact practice privileges. The bill previously passed the House on a vote of [118-2](#).

[House Bill 2353](#) concerns the Care and Treatment Act for Mentally Ill Persons, increases the time allowed for an initial continued treatment order; adds criteria to determine when outpatient treatment may be ordered. The bill previously passed the House on a vote of 119-0.

### **The Budget Conference Committee Slated to Start Meeting**

Today, saw the first conference committee between the Ways and Means chair, vice-chair and ranking minority member and the House Appropriations chair, vice-chair and ranking minority member. The committee saw staff review the more than 200 items that are different between the House version of the budget and the Senate version of the budget.

Among items up for negotiations include:

Health-Related Funding:

- Increases to Medicaid Outpatient Codes for Hospitals: The House position is \$45.2 million, including \$17.9 million State General Fund, to increase by 30 percent, the Senate position is to increase to \$78.7 million, including \$30 million SGF to increase rates in FY 2025 and \$157.4 million, including \$60 million SGF, to increase Medicaid outpatient codes in FY 2026.
- Increases for provider codes: The House position increases by 15 percent, the Senate position increases by 8 percent.
- Increases for obstetrics/gynecology providers by 15 percent.
- Adds funding to extend Medicaid coverage for dental exams, x-rays and cleanings.
- Adds \$2.0 million to reimburse hospitals operating as rural emergency hospitals.
- Adds \$10 million to support adult behavioral health beds in hospitals.
- Adds language to increase the hospital provider assessment to no lower than 5 percent and no higher than 6 percent of each hospital's inpatient and outpatient net income for FY 2025.
- Adds \$5.0 million for primary health projects for community-based primary care grants (safety-net clinics).
- Adds \$600,000 for a maternal-fetal medicine grant program in Johnson County.
- Adds language to allow federally qualified health centers not to use patient information in some instances.
- Adds language to require the Kansas Department of Health and Environment to study the required billing codes and costs of providing remote non-stress tests and ultrasounds to pregnant women through the Medicaid program.
- Adds \$2.5 million in funds for substance use disorder treatment for uninsured individuals and requires agency reporting.
- Adds funds to provide grants to organizations utilizing the 14 (c) labor to increase wages in these settings in FYs 2024 and 2025 in anticipation of the federal government eliminating 14 (c) exception, and adds language to lapse the funding if the exception has not been eliminated by the effective date of the appropriations bill.
- Adds \$5.8 million for 250 individuals to get Physical Disability waiver services in FY 2025, and adds 250 individuals in FY 2026.
- Adds \$48.3 million to increase the average reimbursement rate for agency-directed personal care services on the Frail Elderly waiver to \$30 per hour for FYs 2025 and 2026.
- Adds language to require the Kansas Department for Aging and Disability Services to submit a report on non-Medicaid reimbursable services by Community Developmental Disability Organizations.
- Adds funding for specialized medical care rate for Intellectual / Developmental Disability and Technology Assisted waivers for FY 2025.
- Adds one-time funding to supplement federal funding for substance use disorder treatment for non-Medicaid eligible populations.
- Adds one-time funds for Medicaid add-on to nursing facilities: House adds \$60.9 million to go to a \$20 per day add-on, the Senate is \$30.1 million, to go to a \$10 per day add-on.
- Adds language to study the Frail and Elderly waiver and make recommendations to the legislature.

- Adds language directing KDADS to oversee the reporting of supplemental nurse staffing agencies.
- Adds language requiring KDADS to study and report information regarding involuntary discharges and transfers from state-licensed adult care homes.
- Adds funding to allow non-community mental health centers to become certified community behavioral health clinics.

#### Workforce:

- Adds language directing all scholarships to the Kansas Comprehensive Grant be distributed with 50.0 percent to the state institutions, including Washburn and the remaining 50.0 percent to not-for-profit independent institutions for FY 2025.
- Adds \$2.0 million SGF for the Kansas Osteopathic Scholarship for FY 2025.
- \$75.0 million for the University of Kansas Medical Center Cancer Research Facility enhancement request from the Board of Regents.
- Postsecondary Telehealth Certification enhancement for Fort Hays State University.
- Adds funds for Professional Workforce Development Grant for FHSU.
- Adds funding for the Kansas Comprehensive Grant in FY 2026.
- Adds funding for Dane G. Hansen Public-Private Partnership for items including Child Care Accelerator Grants.
- Adds language for the ability to issue bonding authority for a Department of Nursing at Emporia State University in FY 2024 and FY 2025.
- Adds funds for Family Residency programs at Smoky Hill Family Residency, Ascension Via Christi and Wesley Family Medicine Residency programs in FY 2025.
- Adds funds for housing and retail development in NW Kansas through a transfer from the Kansas Rural Housing Revolving Loan Program.
- Adds funds to recruit new home-based childcare providers.

#### Other Items:

- Adds funds from the Kansas Fights Addiction Fund for the following: Kansas City Full Circle Program for drug abuse prevention services, for KDADS substance use disorder treatment among uninsured individuals and for Valley Hope in Atchison.
- Deletes one full-time employee from the Kansas State Board of Healing Arts specializing in licensing.
- Adds language requiring the Kansas State Board of Healing Arts to decrease all fees for licensure application and renewal by 15 percent.
- Funds for the State Employee Health System to cover 100 percent of diagnostic and supplementary breast examinations.
- Funds for expenditures and credit monitoring related to the security incident in the Judicial Branch.
- Adds funding for a legislative bus tour regarding mental health.