



KHA's Capitol Comments
April 30, 2024

Conference Committee Meets Again on Visitation Bill

Today, the House and Senate Health Conference Committee met again to add language that would include a reference to the Centers for Medicare & Medicaid Services guidance to prevent funding loss. The Conference Committee Report on [Senate Bill 287](#), now contains language on the following topics:

- School district's ability to administer screenings and evaluations without parental consent
- EMS's ability to provide over-the-counter medication without a prescription
- Patient visitation in hospitals and long-term care settings.

The language was amended in the visitation portion of the bill to say: "Nothing in this section shall be construed to supersede any federal laws, rules or regulations regarding patient care facilities, or (2) prohibit a patient care facility from taking actions necessary "including those based on guidance from the Centers for Medicare and Medicaid Services," to ensure that such patient care facility remains eligible for federal financial participation, federal funds or participation in federal programs and for reimbursement for services provided in such patient care facility." The House and Senate agree to the language.

They also opened up the conference committee on [House Bill 2531](#), Silver Alert language change was agreed to by both the House and Senate.

These agreed-to conference committee reports now have to run across both chamber floors.

Veto Override Updates

Today, the legislature continued taking up legislation formerly vetoed by Governor Laura Kelly, including the following:

[House Bill 2648](#) (override): Requires the director of the budget to independently determine the costs of compliance and implementation for all proposed rules and regulations and authorizes the director of the budget to disapprove proposed rules and regulations. The House voted [87-38](#) to override. The Senate voted [27-12](#) to override.

[House Bill 2436](#) (override): Creates the crime of coercion to obtain an abortion and provides enhanced criminal penalties for offenses committed with the intent to coerce a woman to obtain an abortion. The House voted [85-40](#) to override. The Senate voted [28-10](#) to override.

[House Bill 2465](#) (override): Enacts the Adoption Savings Account Act, which allows individuals to establish adoption savings accounts with certain financial institutions, provides eligible expenses, requirements and restrictions for such accounts and establishes addition and subtraction modifications for contributions to such accounts under the Kansas Income Tax Act, increases the income tax credit amount for adoption expenses, establishes an income, privilege and premium tax credit for contributions to eligible charitable organizations operating pregnancy centers or residential maternity facilities and provides for a sales tax exemption for purchases by pregnancy resource centers and residential maternity facilities. The House voted [85-40](#) to override. The Senate voted [29-7](#) to override.

[House Bill 2749](#) (override): Requires medical care facilities and providers to report the reasons for each abortion performed at such facility or by such provider to the secretary of the Kansas Department of Health and Environment. The House voted 84-41 to override. The Senate voted 27-10 to override.

[House Bill 2583](#) (override): Increases the criminal penalties for harming or killing certain dogs and horses and requires restitution for such offense to include certain expenses. The House voted [105-20](#) to override. The Senate voted [29-10](#) to override.

[House Substitute for Senate Bill 233](#) (sustained): Forbidding Abuse Child Transitions Act, which 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 providing gender transition treatment to children and adds violation of the act to the definition of unprofessional conduct for physicians and nurses. The Senate voted [27-13](#) to override. The House didn't receive enough votes to override, on a vote of [82-43](#).

[House Bill 2618](#) (sustained): Prohibits the use of funds provided by the United States government for the conduct of elections and election-related activities unless approved by the legislature and requires specific intent as an element of the crime of false representation of an election official. The House voted [84-41](#) to override. The Senate vote didn't reach the threshold to override on a vote of [26-11](#).

[Senate Bill 28](#): Budget Line-Items:

Southwest Border Mission (override) - Secs. 29(b), 121(a) (part) and 121(a) (part). The Senate voted [28-12](#) to override. The House voted [84-41](#) to override.

Pregnancy Compassion Awareness Program (override) - Sec. 35(a). The Senate voted [28-11](#) to override. The House voted [86-39](#) to override.

Disability and I/DD Waiver (override) - Secs. 83(dd) and 83(ee). The Senate voted [28-12](#) to override. The House voted [97-28](#) to override.

Changes to Targeted Case Management (sustained)- Secs. 83(aa). The Senate was sustained on a vote of [25-15](#).

Residency Funding and Osteopathic Service Scholarship (override) - Secs. 112(a) (part) and 116(a) (part). The Senate voted [27-13](#) to override. The House voted [97-28](#) to override.

[Senate Bill 271](#) (sustained): Prohibits governmental agencies from acquiring critical components of drone technology from countries of concern and prohibits state-level agencies from procuring final or finished goods or services from countries of concern. The veto was sustained on a vote of [21-16](#).

[Senate Substitute for House Bill 2036](#) (sustained): The tax package that would restructure individual income tax brackets, exempt social security income from the individual income tax, increase the standard deduction and personal exemption amounts; reduce privilege tax rates, abolish the Local Ad Valorem Tax Reduction Fund and County and City Revenue Sharing Fund, increases the amount of the appraised value of residential property exempt from the statewide uniform school finance levy and reduces the mill levy, and accelerates the elimination of the state sales and compensating use tax rate on food and food ingredients. The Senate sustained the veto on a vote of [26-14](#).

Conference Committee Reports Continue

The following Conference Committee Reports continue to make their way through the legislative process and to Governor Laura Kelly.

[CCR House Substitute for Senate Bill 419](#); relating to controlled substances; providing immunity from prosecution for certain drug crimes when persons seek or provide medical assistance related to the use of a controlled substance. The Senate adopted the conference committee report on a vote of 36-0 and passed the House on a vote of 114-0.

[CCR House Bill 2784](#), relating to licensure and certification of certain care facilities and providers of disability and mental health services; prohibiting the state fire marshal and the marshal's representatives from wearing or operating a body camera during an on-site inspection at a licensed facility; transferring authority for certification of continuing care retirement communities from the Kansas insurance department to the Kansas department for aging and disability services; authorizing the department to condition or restrict a license of a provider of disability services; granting the secretary of aging and disability services authority to grant regulation waivers unrelated to health and safety; adding a definition for a day service provider; authorizing correction orders and civil fines to be appealed to the secretary of aging and disability services; providing for certification of certified community behavioral health clinics; permitting certification renewal of programs and treatments that have previously been certified or accredited. The CCR was adopted by the Senate on a vote of 39-0 and the House on a vote of 122-0.

CCR [House Substitute for Senate Bill 287](#), prohibiting a healthcare provider from administering any drug or diagnostic test or conducting behavioral health treatment to a minor in a school facility without parental consent; "; enacting the no patient left alone act to require hospitals, adult care homes and hospice facilities to allow in-person visitation in certain circumstances; authorizing such patient care facilities to adopt visitation policies and procedures; expanding licensure of rural emergency hospitals that meet criteria between January 2015 and December 2020; relating to emergency medical responder authorized activities; authorizing distribution of non prescription over-the-counter medications. The CCR was adopted by the House on a vote of [110-11](#) and the Senate will have an upcoming vote.

New Tax Plan Being Assembled

The House and Senate Tax Conference met to discuss a new tax proposal that would include provisions from previous bills, such as increases in the standard deduction, reducing the mill levy or increase in the residential exemption and expediting the elimination of the food sales tax. The bill has two tiers of income tax, at rates of 5.15 and 5.2 percent. The new bill will be in Senate Bill 37. The House accepted these and this conference committee report will now run on both chamber floors.

The Senate also offered in House Bill 2096, a property tax freeze of 75 percent for veterans who are permanently totally disabled, increased income amount for the Homestead Act, excluded social security tax, property tax exemptions for businesses in competition with government entities, a property tax exemption for ATVs and off-road vehicles and watercraft, exclusion of valid sales for some property transactions, changes to the payment under protest proceedings. Then, add dark store language and the child care tax credit. The new conference committee report will now need to run across both chamber floors.