

LEGISLATIVE REPORT

KOTA

Kansas Legislative Report

March 28, 2024

Overview

The 2024 Session continues to churn towards First Adjournment this week as dozens of bills were debated and passed by the Senate and House. While a few bills are making their way to Governor Kelly's desk, most passed bills will be reviewed next week in conference committee to reconcile differences between House and Senate versions. Next week is the final week of regular session with legislators poised to return to their districts on April 5.

Several noteworthy issues are moving forward. With the Senate and House both having passed their budget bill, the Budget Conference Committee held its first meeting to review the dozens of line-item differences between the two versions. The committee will resume its work next week.

Other policy debates captured headlines. The House debated and passed a new tax reform package with an unprecedented 123-0 vote. The House plan, enclosed in House Sub for SB 300, differs from the Senate's version and the package vetoed earlier this session by offering a two-tier income tax bracket instead of the single flat tax in other proposals. Thus, the existing three-tier system would be moved to two, with lower rates. Earners of less than \$7,000 would have no income tax, the middle bracket lowered to 5.2% and the top rate dropping from 5.7% to 5.65% for earners over \$60,000. Among several other provisions, social security benefits would be exempt from state income tax and the state rate on food sales tax is accelerated to zero percent on July 1, 2024. While the House and Senate versions differ, this will be negotiated next week in the Tax Conference Committee.

Meanwhile, the House passed a large education bill containing the K-12 budget and several policy pieces. The House passed legislation related to countries of concern while the Senate passed a bill to bar local governments from banning plastic bags and products.

Occupational Licensing

HB 2745 is a bill providing that military spouses of active military service members shall be exempted from all occupational licensing, registration, and certification fees was enrolled and presented to the Governor this week. The Governor will now have 10 days to make the decision to either veto or sign the bill.

Medical Cannabis

The Senate Committee on Federal and State Affairs held a hearing for SB 555 this week. This is a bill creating the medical cannabis pilot program act to establish the medical cannabis pilot program for limited cultivation, processing, and dispensing of medical cannabis and medical cannabis products. KDHE would be authorized to enter a contract with one or more pharmacies to operate a distribution hub for the purpose of dispensing medical cannabis products in the state.

Representatives from Kansas Natural Resources, the Kansas Pharmacists Association, and a handful of private citizens testified in favor of SB 555. Neutral testimony was presented by the Kansas Chiropractic Association and Lamar Advertising Company along with written testimony submitted by KDHE, the Kansas Chamber, Metrc, the Kansas Board of Healing Arts, and the Heritage Foundation. The bill had a series of opponents including the Culture Shield Network, the Kansas Department of Agriculture, Silver Hair Legislature, Stand up for Kansas, Kansas Medical Society, and Senator Mark Steffen (R – Reno). 25 pieces of written opponent testimony were submitted by a variety of organizations and citizens across Kansas.

At the end of the meeting, the committee voted to table the bill, effectively killing it.

House Floor Action

This week, committees did not meet, but many bills were discussed on the House and Senate floors. During the all-day debates, one of the bills the House debated was SB 384. SB 384, which would prohibit the Emergency Medical Service Board from requiring a vehicle providing emergency medical service in a city or county with a population of less than 50,000 to operate with more than the minimum personnel required by statute, saw changes from the version the Senate sent over and then was passed 119-4.

Additionally, the House passed H Sub for SB 287 by a vote of 85-37. This is a bill prohibiting a healthcare provider from administering medication, diagnostic tests or conducting ongoing behavioral health treatments to a minor in a school facility without parental consent.

The very last bill to be debated on the House Floor this week was S Sub for Sub SB 96. This bill establishes a childcare licensing requirements relating to license capacity and staff-to-child ratios, eliminating certain license fees and training requirements, creating a process for daycare facility licensees to apply for temporary waiver of certain statutory requirements and authorizing the secretary to develop and operate pilot programs to increase childcare facility availability or capacity. The bill passed the House by a vote of 107-10. The Senate will have to act next on the bill by either concurring with the House changes or nonconcurring, which will send the bill to conference.

Senate Floor Action

The Senate also spent many hours on the floor this week debating various bills. Among those bills included HB 2547. This is a bill authorizing schools to maintain certain emergency medication kits and to administer such medication in emergency situations. The Senate passed HB 2547 unanimously.

Additionally passed by the Senate this week was HB 2484. This is a bill enacting the social work licensure compact to provide interstate practice privileges for social workers. The bill saw no changes and will make its way to the Governor's desk. The bill passed the House 118-2 and the Senate 35-5.

Bills on the Governor's Desk

Conference Committee Reports on H Sub for SB 233 also passed both chambers, passing the House 82-39 and the Senate 27-13. This is a bill enacting the Forbidding Abuse Child Transitions Act, restricting use of state funds to promote gender transitioning, prohibiting healthcare providers from treating children whose gender identity is inconsistent with the child's sex. The bill now goes to the Governor where the belief is she will veto the bill.

A bill that was signed by the Governor this week was SB 307. This bill added for-profit private entity to the definition of "qualified applicant" in the Kansas Fights Addiction Act. The bill passed both House and Senate chambers earlier this month.

Thank you and please let us know if you have any questions.

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
SB 111 Senate Public Health and Welfare Committee	Enacting the massage therapist licensure act to provide for regulation and licensing of massage therapists	In Senate Public Health and Welfare	01/27/2023 - Senate Referred to Public Health and Welfare
SB 112 Senate Public Health and Welfare Committee	Amending the scope of practice for registered nurse anesthetists to allow independent practice within the scope of the licensee's education and qualifications	In House Health and Human Services	04/04/2023 - House Referred to Health and Human Services
SB 121 Senate Public Health and Welfare Committee	Broadening the scope of practice of naturopathic doctors and changing certain provisions pertaining to the licensure and regulation of naturopathic doctors	In Senate Public Health and Welfare	02/01/2023 - Senate Referred to Public Health and Welfare
SB 269 Senate Federal and State Affairs Committee	Exempting charitable raffle prizes of alcoholic liquor and cereal malt beverages from the Kansas liquor control act, the club and drinking establishment act and the Kansas cereal malt beverage act	In Senate Federal and State Affairs	02/21/2023 - Senate Referred to Federal and State Affairs
H Sub for SB 352 Senate Public Health and Welfare Committee	Enacting the no patient left alone act to require facilities to allow in-person visitation to certain patients at hospitals, adult care home and patient care facilities	Stricken from Calendar in House	03/28/2024 - House Stricken from Calendar by Rule 1507
SB 384 Senate Local Government Committee	Allowing ambulances in rural communities to operate with only the minimum personnel required by state law	Nonconcurrent in Senate	03/27/2024 - Senate Nonconcurrent; appointed McGinn, Bowers and Francisco

SB 430 Senate Commerce Committee	Providing workers compensation act coverage for the Kansas national guard, limiting benefit reductions for retirement benefits, increasing dependents death benefits, reducing certain functional impairment requirements, increasing compensation for certain disability categories and for treatment without authorization, raising the evidentiary standard for future medical treatment, limiting certain procedures for post-award medical benefit claims, allowing benefit payment by funds transfer or payment cards, establishing procedures for neutral healthcare examinations, exchanges and admission of medical reports, extending employee injury notification deadlines, eliminating the deadline for motions to avoid dismissal for lack of prosecution, providing for expedited settlement and digital recording of hearings and other changes to the workers compensation act	Pending enrollment	03/27/2024 - House Emergencied to Final Action: Passed; Yeas 122, Nays 0
SB 433 Senate Public Health and Welfare Committee	Clarifying practice privileges of institutional license holders	Pending enrollment	03/26/2024 - House Final Action: Passed; Yeas 121, Nays 2
SB 449 Senate Judiciary Committee	Expanding the definition of healthcare provider for individuals providing care at the scene of an emergency or accident	In Senate Public Health and Welfare	02/06/2024 - Senate Referred to Public Health and Welfare
HB 2239 House Welfare Reform Committee	Allowing for exemptions from continuing education requirements for work experience	In House Welfare Reform	02/01/2023 - House Referred to Welfare Reform
HB 2257 House Health and Human Services Committee	Providing for the licensure and regulation of music therapists by the state board of healing arts and establishing the music therapy advisory committee	In House Health and Human Services	02/02/2023 - House Referred to Health and Human Services

HB 2337 House Health and Human Services Committee	Defining in-state and interstate practitioners under the Kansas telemedicine act, establishing certain standards of care, requiring certain insurance coverage of in-state telemedicine services and establishing the Kansas telehealth advisory committee	In House Health and Human Services	02/08/2023 - House Referred to Health and Human Services
HB 2388 House Commerce, Labor and Economic Development Committee	Requiring that licensing bodies provide verified electronic credentials to credential holders, including military servicemembers and others receiving Kansas credentials based on their credentials from other jurisdictions, and use centralized electronic credential data management systems with instantaneous credential verification and an auditable record	In Senate Commerce	03/21/2023 - Senate Referred to Commerce
HB 2556 House Appropriations Committee	Expanding medical assistance eligibility and enacting the cutting healthcare costs for all Kansans act	In House Health and Human Services	03/28/2024 - House Withdrawn from Interstate Cooperation; rereferred to Health and Human Services
HB 2669 House Health and Human Services Committee	Codifying the mental health intervention team program administered by the Kansas department for aging and disability services in state statute	In Senate Education	03/13/2024 - Senate Scheduled Hearing in Education: Tuesday, 3/19, 1:30 PM, Rm 144-S
HB 2670 House Health and Human Services Committee	Requiring the department of health and environment to develop and publish educational information regarding the use of nonopioids	In House Health and Human Services	02/02/2024 - House Referred to Health and Human Services
HB 2713 House Insurance Committee	Enacting the ensuring transparency in prior authorization act to impose requirements and limitations on the use of prior authorization in healthcare	In House Interstate Cooperation	02/07/2024 - House Referred to Interstate Cooperation

<p>HB 2745 House Commerce, Labor and Economic Development Committee</p>	<p>Providing that military spouses of active military servicemembers shall be exempted from all occupational licensing, registration and certification fees</p>	<p>Pending action by Governor</p>	<p>03/26/2024 - House Enrolled and presented to the Governor</p>
<p>HB 2746 House Health and Human Services Committee</p>	<p>Updating requirements for receiving and renewing a license under the dietitians licensing act</p>	<p>Stricken from Calendar in House</p>	<p>02/23/2024 - House Stricken from Calendar by Rule 1507</p>
<p>HB 2756 Mark Schreiber, R-60th</p>	<p>Enacting the art therapist licensure act to provide for the regulation and licensing of professional art therapists</p>	<p>In House Health and Human Services</p>	<p>02/08/2024 - House Referred to Health and Human Services</p>
<p>HB 2818 House Federal and State Affairs Committee</p>	<p>Providing for a legislative review process and criteria when considering bills that propose new or additional occupational regulation, requiring the joint committee on administrative rules and regulations to review such bills and authorizing the joint committee to direct regulatory entities or to contract with a consulting firm to provide a report to the legislature to inform the legislature's consideration of such bill</p>	<p>In House Commerce, Labor and Economic Development</p>	<p>03/06/2024 - House Scheduled Hearing in Commerce, Labor and Economic Development: Tuesday, 3/12, 1:30 PM, Rm 346-S</p>
<p>HB 2825 House Appropriations Committee</p>	<p>Enacting consumer protection related to hospital price transparency act</p>	<p>On General Orders in House</p>	<p>03/26/2024 - House Committee of the Whole: Be amended; motion to recommend favorably failed</p>