



BRADEN • HEIDNER • LOWE  
& ASSOCIATES

# LEGISLATIVE REPORT

**KOTA**

***Kansas Legislative Report***

***March 8, 2024***

## **Overview**

The second half of the session is in full swing. This week saw dozens of hearings while the House debated and passed a handful of bills. The two budget committees met to finalize their respective budgets which are expected to be considered on the House and Senate floor soon.

There are four more weeks of regular session, with two weeks for most committees to meet, providing an urgent environment to finish hearings and recommend bills out of committee. Most bills must be passed by the second chamber by March 28. The following days, leading to the first adjustment date of April 5, are reserved for floor debates and conference committees to reconcile any differences between House and Senate versions of legislation.

## **Occupational Licensing**

The Senate Committee on Commerce will have a hearing Wednesday on HB 2745, a bill providing that the military spouse of active military service members be exempted from all occupational licensing, registration, and certification fees. This bill has already passed the House and will now try to work its way through the legislative process in the Senate.

## **Occupational Licensing Fees**

The House Appropriations committee this week added a proviso into the budget that would reduce the Board of Healing Arts' licensure fees. The proviso reduces fees across-the-board by 15% for the year 2025.

## **House Health Committee**

This week, the House Committee on Health and Human Services held hearings for SB 433 and SB 352. SB 433 is a bill clarifying the practice privileges of institutional license holders. Proponent testimony was presented from KDADS. There were no opponents or neutrals. SB 352 enacts the John D. Springer patient's bill of rights to require hospitals to allow in-person visitation, adopt visitation policies and procedures, and create a civil cause of action for violation of such rights. Multiple private citizens testified in favor of the bill. Opponents included representatives of the Kansas Hospital Association and the Kansas Medical Society. No neutral testimony was presented.

In the upcoming week, the committee will have a roundtable discussion on HB 2793, a bill prohibiting healthcare providers from performing healthcare services on minors without parental consent.

## **House Budget Committee**

Also, this week, the House Committee on Appropriations received a series of Medicaid presentations on topics such as telehealth, the community support waiver, and FMAP. Michele Heydon and Christine Osterlund of KDADS presented on the Community Support Waiver and the unwinding of FMAP. Representatives from Maternal Health and Ultrasound Clinical Solutions provided information on remote non-stress technology and tela-ultrasound technology.

In the upcoming week the committee will have a hearing on HB 2362, a bill removing state fire marshal approval as a requirement for licensure or renewal of licensure for disability service providers and facilities.

## **Senate Health Committee**

The Senate Committee on Public Health and Welfare started the week off with hearings on HB 2596 and HB 2777. HB 2596 is a bill adding and removing certain substances in schedules I, II, IV, and V of the Uniform Controlled Substances Act and making conforming changes to the criminal code definition of "fentanyl-related controlled substances. Nicholas Reinecker provided information on the Controlled Substances Act and the Anti-Commandeering Doctrine. The Kansas Board of Pharmacy testified in favor of the bill. There was no neutral or opposing testimony. HB 2777 is a bill prohibiting an employee of the office of the state fire marshal from wearing or operating a body camera during an on-site inspection at a licensed care facility. Proponents included Representative Timothy Johnson (R – Leavenworth), LeadingAge Kansas, the Kansas Hospital Association, the Kansas Bureau of Investigation, the Kansas Health Care

Association, and the Kansas Center for Assisted Living. Neural testimony was presented from the Office of the State Fire Marshal. There were no opponents.

Next week, the committee will have a series of hearings starting with HB 2547, HB 2579, HB 2784. HB 2547 authorizes schools to maintain certain emergency medication kits and to administer such medication in emergency situations. HB 2579 is a bill authorizing the Board of Emergency Medical Services to distribute non-prescription over-the-counter medications. HB 2784 is a bill transferring authority for certification of continuing care retirement communities from the Kansas Insurance Department to the KDADS and lowering the nursing facility provider assessment for continuing care retirement. In the following meeting, the committee will have a hearing on HB 2751, a bill authorizing KDADS to condition or restrict a disability service provider license, granting the secretary authority to grant regulation waivers unrelated to health and safety and authorizing correction orders and civil fines to be appealed to the secretary.

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

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
<a href="#">SB 111</a> 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	<b>01/27/2023 - Senate</b> Referred to Public Health and Welfare
<a href="#">SB 112</a> 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	<b>04/04/2023 - House</b> Referred to Health and Human Services
<a href="#">SB 121</a> 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	<b>02/01/2023 - Senate</b> Referred to Public Health and Welfare
<a href="#">SB 269</a> 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	<b>02/21/2023 - Senate</b> Referred to Federal and State Affairs

<a href="#">SB 352</a> Senate Public Health and Welfare Committee	Enacting the John D. Springer patient's bill of rights to require hospitals to allow in-person visitation, adopt visitation policies and procedures and creating a civil cause of action for violation of such rights	In House Health and Human Services	<b>02/29/2024 - House</b> Scheduled Hearing in Health and Human Services: Tuesday, 3/5, 1:30 PM, Rm 112-N
<a href="#">SB 384</a> Senate Local Government Committee	Allowing ambulances in rural communities to operate with only the minimum personnel required by state law	In House Local Government	<b>03/06/2024 - House</b> Scheduled Hearing in Local Government: Wednesday, 3/13, 9:00 AM, Rm 281-N
<a href="#">SB 430</a> 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	On General Orders in House	<b>03/05/2024 - House</b> Withdrawn from Consent Calendar; placed on General Orders
<a href="#">SB 433</a> Senate Public Health and Welfare Committee	Clarifying practice privileges of institutional license holders	On General Orders in House	<b>03/06/2024 - House</b> Committee Report recommending bill be passed, by Health and Human Services
<a href="#">SB 449</a> 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	<b>02/06/2024 - Senate</b> Referred to Public Health and Welfare

<a href="#">HB 2239</a> House Welfare Reform Committee	Allowing for exemptions from continuing education requirements for work experience	In House Welfare Reform	<b>02/01/2023 - House</b> Referred to Welfare Reform
<a href="#">HB 2257</a> 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	<b>02/02/2023 - House</b> Referred to Health and Human Services
<a href="#">HB 2337</a> 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	<b>02/08/2023 - House</b> Referred to Health and Human Services
<a href="#">HB 2388</a> 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	<b>03/21/2023 - Senate</b> Referred to Commerce
<a href="#">HB 2556</a> House Appropriations Committee	Expanding medical assistance eligibility and enacting the cutting healthcare costs for all Kansans act	In House Health and Human Services	<b>01/22/2024 - House</b> Referred to Health and Human Services
<a href="#">HB 2669</a> 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	<b>03/01/2024 - Senate</b> Referred to Education
<a href="#">HB 2670</a> 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	<b>02/02/2024 - House</b> Referred to Health and Human Services

<a href="#">HB 2713</a> 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	<b>02/07/2024 - House</b> Referred to Interstate Cooperation
<a href="#">HB 2745</a> House Commerce, Labor and Economic Development Committee	Providing that military spouses of active military servicemembers shall be exempted from all occupational licensing, registration and certification fees	In Senate Commerce	<b>03/06/2024 - Senate</b> Scheduled Hearing in Commerce: Wednesday, 3/13, 10:30 AM, Rm 546-S
<a href="#">HB 2746</a> House Health and Human Services Committee	Updating requirements for receiving and renewing a license under the dietitians licensing act	Stricken from Calendar in House	<b>02/23/2024 - House</b> Stricken from Calendar by Rule 1507
<a href="#">HB 2756</a> Mark Schreiber, R-60th	Enacting the art therapist licensure act to provide for the regulation and licensing of professional art therapists	In House Health and Human Services	<b>02/08/2024 - House</b> Referred to Health and Human Services
<a href="#">HB 2818</a> House Federal and State Affairs Committee	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	In House Commerce, Labor and Economic Development	<b>03/06/2024 - House</b> Scheduled Hearing in Commerce, Labor and Economic Development: Tuesday, 3/12, 1:30 PM, Rm 346-S