

Kansas Chapter American Academy of Pediatrics Legislative Update

Overview

The Second week of the 2019 session concluded with increased committee action and some bills, but in general the action has been slow in the third week. You can see below the issues and legislation we are following.

Big Picture Issues

The second week of Session was filled with discussions on committee rules, a limited amount of bill introductions, and only a few bill hearings.

Early session bills ran the gamut from school finance to dead bodies. Senator McGinn, Chair of Ways and Means, introduced the governor's K-12 education finance bill, which increases state aid by \$93 million. In Senate Public Health, Senator Randall Hardy introduced what he "affectionately" calls the "dead body bill," which would provide for a more natural burial process. Other introductions included a pharmacy medication administration bill, a bill relating to food sales tax, and a bill that would mandate that cost of living interest be added into school finance. Representative Leonard Mastroni introduced a bill regarding the Families First Prevention Services Act in the committee for Children and Seniors. This program will add funding for treatment to keep kids from going into child welfare custody. On Wednesday, Senator Tom Holland introduced a bill that would add clergy members to the list of mandatory reporters of child abuse.

Senate President Susan Wagle assembled, and installed herself as chair of, the new "Select Committee on Federal Tax Code Implementation," which almost identically resembles the Tax Committee, minus its chair, Senator Tyson. The new committee will have its first meeting Tuesday to begin debating Senate Bill 13, the "windfall" legislation that deals with increased state itemized deductions, for corporations that was not include in the original windfall bill. The bill should pass out of the Senate committee sometime this week or next. A new revenue estimate presented on the 29th suggests the financial impact to the state and tax relief would total \$190 million in the first year and approximately \$115 million there after.

Governor Kelly began work on some of her top priorities, launching an 11-member Medicaid Expansion Task Force, as well as the 45-member Council on Education. The council, composed of educators, administrators, and business leaders, will emphasize early childhood initiatives, as well as students' transition from high school to post-secondary opportunities and the workforce. The council will hold its first meeting January 30th at the Kansas State Board of Education. The Governor's new cabinet secretaries have begun making the rounds with legislative committees to discuss policy matters. The budget details will become available in a week or so budget hearings will begin.

Week three is bustling with Kansas Day festivities on Tuesday, as well as back-to-back bill hearings throughout the week. Bill introductions are still allowed for about two more weeks so we'll be reporting on everything coming out.

Health and Pediatric Issues

There has not been much legislation introduced yet this session, but we have begun tracking many of the key issues we'll be watching and report on in the coming months. During the coming months the list of topics we will monitor, report, and testify on will change and grow, but from the beginning, here is what we are following:

- Medicaid expansion.
 - The Governor's Medicaid expansion bill has been drafted and made public. It was introduced in Appropriations Committee today and should have a bill number tomorrow. It includes employment training services and is very similar to the bill the Legislature sent to Governor Brownback in 2016.
 - House Bill 2102 and Senate Bill 54.
http://kslegislature.org/li/b2019_20/measures/documents/hb2102_00_0000.pdf
 - http://kslegislature.org/li/b2019_20/measures/documents/sb54_00_0000.pdf
- Family First Act.
 - Budget hearings have not yet begun but State agencies have provided some briefings. The Governor recommended \$7.4 million in her budget.
- Child welfare reform.
 - Agency briefings before several committees but no budget or legislation pending yet.
- Funding for early childhood health and programs.
 - Briefings on the topic are expanding and interest grows in relation to the Family First program designed to fund early interventions.
 - Attachment Bio-behavioral Catch-Up early childhood intervention will be heard in two committees. A proposal to expand the pilot passed the Senate last session.
- Medical marijuana.
 - No bills yet, but they are coming.
- Expansion of scope of practice for APRNs.
 - The APRN scope of practice bill has been introduced but no hearing has been scheduled yet.
- Association health plan modifications that among other things includes some bills allowing non-ACA compliant health plans.
 - Still evaluating the large number of bills. Hearing will begin this week.
 - Some bills allow business entities to offer non-ACA compliant plans, others seek to modify existing association plan. Among issues of concern are proposals that would make these non-compliant plans available to the general public.

- In addition to the potential issue for limited coverage plans, the proposals may divert potential support for Medicaid expansion.
- Weapons legislation.
 - One bill requiring a three-day waiting period but no hearing scheduled.

Legislation of Interest

Because we are now at the beginning of the biennial cycle, all bills from the 2017 and 2018 sessions are dead.

Bills that have been published and the bill history can be found on the Legislature's official website: http://www.kslegislature.org/li/b2019_20/measures/bills/

Dental therapy. Senate Bill 11.

- Bill sought by Dental Hygienists Association. Bill is the same as the Senate bill that passed the Senate in 2018 but the Kansas Dental Association now opposes.
- Bill in Senate Public Health and Welfare. No hearing scheduled.

Three day waiting period to purchase weapons. Senate Bill 8.

- Mandatory three-day waiting period to purchase a weapon.
- Bill in Senate Federal and State Affairs. No hearing scheduled.

Repeal healthcare compact. House Bill 2029.

- Bill would remove Kansas from the Health Care compact that became law in 2016 that commits Kansas to national restructuring of federal Medicaid and Medicare funding allowing the federal government to implement block grants to states.
- Requires ratification by a number of other states, which has not happened.
- In House Health and Human Services Committee. No hearing scheduled.

Medicaid expansion. House Bill 2030.

- Similar to 2017 bill that passed both chambers and Governor Brownback vetoed. Includes full expansion adding an estimated 140,000 to coverage in the coverage gap.
- Bill in House Health and Services Committee. No hearing scheduled.

APRN Scope of Practice. House Bill 2066.

- Expands the scope of practice for Advance Practice Registered Nurses.
- No hearing scheduled.

Pharmacists administering drugs. House Bill 2082.

- Chain pharmacy bill.
- Allows administration of prescriptions unless specifically prohibited.

- No hearing scheduled.

The various association health plans include the following bills. The bills are numerous and we are still attempting to separate out the nuances. I will not include this lengthy list every week, but once we know which bills have a chance, we'll focus the report.

SB 29 Providing for fully-insured association health plans

01/22/2019 Senate Introduced
01/23/2019 Senate Referred to Financial Institutions and Insurance
01/23/2019 Senate Scheduled Hearing in Financial Institutions and Insurance: Wednesday, 1/30, 9:30 AM, Rm 546-S

SB 30 Updating definitions relating to small employer health plans and association health plans

01/22/2019 Senate Introduced
01/23/2019 Senate Referred to Financial Institutions and Insurance
01/24/2019 Senate Scheduled Hearing in Financial Institutions and Insurance: Thursday, 1/31, 9:30 AM, Rm 546-S

SB 31 Exempting certain association health plans from requirements pertaining to small employer health plans

01/22/2019 Senate Introduced
01/23/2019 Senate Referred to Financial Institutions and Insurance

SB 32 Exempting certain non-insurance healthcare benefits from the commissioner's jurisdiction

01/22/2019 Senate Introduced
01/23/2019 Senate Referred to Financial Institutions and Insurance
01/23/2019 Senate Scheduled Hearing in Financial Institutions and Insurance: Tuesday, 1/29, 9:30 AM, Rm 546-S

SB 33 Specifying the conditions under which a small employer carrier may establish certain classes of business

01/22/2019 Senate Introduced
01/23/2019 Senate Referred to Financial Institutions and Insurance
01/23/2019 Senate Scheduled Hearing in Financial Institutions and Insurance: Thursday, 1/31, 9:30 AM, Rm 546-S

SB 34 Exempting health plans issued to associations of small employers from certain statutory provisions governing small employer health plans

01/22/2019 Senate Introduced
01/23/2019 Senate Referred to Financial Institutions and Insurance

SB 35 Providing for short-term, limited-duration health plans

01/22/2019 Senate Introduced

01/23/2019 Senate Referred to Financial Institutions and Insurance

SB 36 Making certain self-funded association health plans subject to the jurisdiction of the commissioner

01/22/2019 Senate Introduced

01/23/2019 Senate Referred to Financial Institutions and Insurance

01/23/2019 Senate Scheduled Hearing in Financial Institutions and Insurance: Wednesday, 1/30, 9:30 AM, Rm 546-S

HB 2053 Providing for short-term, limited-duration health plans

01/22/2019 House Introduced

01/23/2019 House Referred to Insurance

HB 2054 Providing for fully-insured association health plans

01/22/2019 House Introduced

01/23/2019 House Referred to Insurance

01/23/2019 House Scheduled Hearing in Insurance: Monday, 1/28, 3:30 PM, Rm 212-N

HB 2056 Exempting health plans issued to associations of small employers from certain statutory provisions governing small employer health plans

01/22/2019 House Introduced

01/23/2019 House Referred to Insurance

01/23/2019 House Scheduled Hearing in Insurance: Wednesday, 1/30, 3:30 PM, Rm 212-N

HB 2058 Updating definitions relating to small employer health plans and association health plans

01/22/2019 House Introduced

01/23/2019 House Referred to Insurance

01/23/2019 House Scheduled Hearing in Insurance: Wednesday, 1/30, 3:30 PM, Rm 212-N

HB 2059 Exempting certain association health plans from requirements pertaining to small employer health plans

01/22/2019 House Introduced

01/23/2019 House Referred to Insurance

Next Week Activities

The legislative schedule of hearings is updated regularly throughout the week can be found in the House and Senate calendars on the Legislature website at:

http://www.kslegislature.org/li/b2019_20/chamber/calendars/

Additionally, virtually all hearings are now available on line. You can find those hearings on the Legislature website at: <http://sg001-harmony.sliq.net/00287/Harmony/en/View/Calendar/>

Monday, January 28.

Tuesday, January 29.

Senate Public Health and Welfare. 9:30 AM. Room 118-North.

- Briefing on SUD Sedgwick County/ComCare mental health and SUD model proposal.

House Children and Seniors. 1:30 PM. Room 346.

- Agency Briefing Kansas Department of Health and Environment. Dr. Lee Norman.

House Social Services Budget Committee. 3:30 PM. Room 144 S.

- Briefing on community mental health system.

Wednesday, January 30.

Senate Public Health and Welfare. 9:30 AM. Room 118 N.

- Medicaid and MCO presentations.

House Health and Human Services. 1:30 PM. Room 546-N.

- Neonatal Abstinence Syndrome presentation

House Social Services Budget Committee. 3:30 PM. Room 144 S.

- Briefings on SUD treatment services; Neonatal Abstinence Syndrome presentation; Community Care Network.

Thursday, January 31.

Friday, February 1.

Wrap Up

Please let me know if you have questions. As a reminder, the KAAP advocacy day will take place on Tuesday February 12th. Additional information for members and those attending will be available shortly. I hope as many of you all as possible can join and participate during these times of great transition.

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