Overview

The 2020 Session is less than four months away and the quieter days of summer at the Statehouse are over. Interim committees are meeting and making recommendations while state agencies are busy finalizing their budgets before the September 15th deadline for submission in the Governor’s budget. While we’ve been engaged with interims, drafting policy platforms, and meeting with lawmakers, here are a few other things that have happened.

Online Sales Tax Dispute:

- Last month Governor Kelly directed the Department of Revenue to begin collecting sales tax from out-of-state retailers for online sales beginning October 1st. Her decision comes after the Supreme Court’s ruling in South Dakota v. Wayfair which upholds a state’s right to collect sales tax from out-of-state retailers. South Dakota, however, includes the requirement of a minimum sales threshold before states must collect internet sales tax. Kansas policy, as it currently sits, does not include a minimum sales threshold, which Republican leadership has pushed back on, and which could especially have a negative impact on small retailers. House and Senate leadership requested the Attorney General weigh in on the matter, and the AG has agreed to provide a formal opinion by October 1st.

Governor’s Council on Tax Reform:

- The Governor in September created a Council to discuss and make recommendations to the legislature concerning responsible and sustainable tax reform, including discussions of food sales tax, online sales tax collection, federal tax law changes, etc. The council will present a total of two reports over the next year and a half: one in December prior to the 2020 Session and one in December 2020 before the 2021 Session.
- Council membership includes former Senate President Steve Morris, a Republican from Hugoton, and former state Sen. Janis Lee, of Kensington, to chair the task force.
- A variety of local government, business, and agricultural interests.
- For a full list of council members, see: https://governor.kansas.gov/governor-kelly-issues-executive-order-launching-governors-council-on-tax-reform/

Kansas Sees First Vaping Related Death:

- KDHE announced on September 10th the first vaping-related death in the state in an ever-growing public health concern. This incident will likely factor into the increased push for Tobacco 21 legislation and decreasing youth tobacco and e-cigarette use. A coalition of public health partners is planning to bring forth Tobacco 21 legislation in 2020 in an effort to protect the health of Kansans.

Congressional Candidate Update:

- In 2020, all members of the Kansas House of Representatives, the Kansas Senate, the U.S. House of Representatives, and one U.S. Senate seat face election in 2020. At this point, there is not enough data on State House and Senate candidates filing for reelection to make a clear assessment of who is running for state offices. For Congress, the main candidates are already shaping up. With such a high volume of candidates potentially
seeking office, but only a few actually having filed, the following is intended to bring you up to date on those seeking office to date in the various Congressional races:

Senate (to fill the seat being vacated by retiring Senator Pat Roberts):
- Kris Kobach (R), Lecompton, former Secretary of State
- Dave Lindstrom (R), Overland Park, President, Kansas Turnpike Authority board
- Congressman Roger Marshall (R), Great Bend, 1st District
- Susan Wagle (R), Wichita, President of the Kansas Senate
- Nancy Boyda (D), Baldwin City, former U.S. Representative
- Barry Grissom (D), Leawood, former U.S. Attorney for Kansas
- Usha Reddi (D), Manhattan City Council

1st District:
- Kali Barnett (D), Garden City, teacher
- Tracey Mann (R), Salina, former Lieutenant Governor under Jeff Colyer
- Bill Clifford (R), Finney County Commissioner; retired U.S. Air Force pilot; Garden City ophthalmologist

2nd District:
- Incumbent Steve Watkins (R), Topeka
- Jake LaTurner (R), Pittsburg, State Treasurer
- Abbie Hodgson (D), Lawrence, former staffer for governors Sebelius and Parkinson

3rd District:
- Incumbent Sharice Davids (D), Roeland Park
- Amanda Adkins (R), Overland Park, former Chair of the Kansas GOP, Cerner employee
- Sara Hart Weir (R), Mission, former President/CEO, National Down Syndrome Society

4th District:
- Congressman Ron Estes, Wichita
- No opponent as of Sept. 16th

Health Related and Upcoming Activities

KanCare Oversight:
- The Joint Committee on KanCare Oversight met at the end of August to hear from individuals, providers, state agencies, and MCOs about the status of KanCare and timelines for various projects. The State Medicaid Director, Adam Proffitt, provided updates regarding the 1115 waiver, OneCare Kansas, and Aetna’s corrective action plan. KDADS Secretary Laura Howard outlined the agency’s strategic plan, including new goals for modernizing the continuum of care, housing, and prevention. The MCO updates focused largely on Aetna and their new leadership, as well as the timeline and next steps for their corrective action plan. Aetna is currently implementing revisions in the following areas in order to meet state guidelines: person-centered service plans; credentialing and provider network; and issues with claims payments.
- They are scheduled to meet again in November.
Governor’s Panel on Medicaid Expansion:
- In preparation for another round of debating Medicaid Expansion next Session, the Governor assembled this panel to study expansion in other states. Unlike the Senate Committee on Healthcare Access, the Governor’s panel will not craft expansion legislation, but examine and recommend policies for how Kansas might replicate successful practices other states have implemented. No meeting dates have been set, but the panel is expected to meet three times before the 2020 Session. A list of panel members can be found here: https://governor.kansas.gov/governor-kelly-announces-the-governors-council-on-medicaid-expansion/.

Tobacco 21 Coalition:
- Support for Tobacco 21 legislation has gradually grown over the last few years. Last Session failed to see Tobacco 21 legislation introduced, but that will change in 2020. The American Cancer Society, American Lung Association, the Kansas Chapter of the American Academy of Pediatrics, and many others, are working together to garner support for statewide Tobacco 21 legislation. Eighteen states and hundreds of localities across the U.S. have already passed Tobacco 21 legislation. Over 20 cities in Kansas have raised the legal age to purchase tobacco products to 21, but statewide implementation would mean better enforcement, as well as better overall public health. While legislation is still being drafted, it is expected to include the following:
  o Updated definition of tobacco products to include electronic cigarettes. (Especially timely due to the rise of vaping-related illnesses and injuries).
  o Updated taxation policy to address e-cigarette taxation rate.
  o Increased retail license fee.
  o Eliminate current youth penalty of $25 and Class C misdemeanor.

Youth Tobacco Forum:
- On October 3rd, the American Cancer Society Cancer Action Network will host a forum on youth tobacco prevention and best practice policy at the Kansas Health Institute in Topeka. Panelists will discuss their insights and unique perspectives on youth tobacco use, and upcoming Tobacco 21 legislation will also be discussed. The forum begins at 12:00 and will conclude at 1:30 pm. For more information and to RSVP, see: https://www.fightcancer.org/events/kansas-cancer-policy-forum-youth-tobacco-prevention-and-best-practice-policy.

Kansas Department for Children and Families News:
- DCF announced the awarding of new family preservation contracts after the awards made in late 2018 by the prior administration where thrown out by the incoming DCF leadership. Beginning January 1, 2020, DCCC will serve the Kansas City and Wichita regions. TFI Family Services will serve western Kansas. And, Cornerstones of Care will provide services in Eastern Kansas excluding the metro area.
- New Deputy Secretary for DCF: The agency announced on September 12th Megan Dodge as the new Deputy Secretary of Operations. Dodge will oversee the IT, fiscal, and facilities departments for DCF and brings with her several years of experience working in government affairs and management.
August Children’s Cabinet Meeting:

- The cabinet received an update regarding early childhood systems-building, including the one-year federal preschool development grant which will inform the development of a state strategic plan in response to a statewide needs assessment of early childhood needs in Kansas. KDHE provided an overview of the Pediatric Mental Health Care Access Grant, a federal grant with the goal of getting children the rights services at the right time and place. Additionally, a representative from WSU presented the Early Childhood Block Grant Annual Report, providing a summary of the families served and impact on learning outcomes. Lastly, the cabinet is hosting the Governor’s Symposium on Early Childhood in Wichita on October 7th. For more information, or to register: https://kschildrenscabinet.org/symposium/.

- The next Children’s Cabinet meeting is scheduled for Friday, November 1st.

Upcoming activities

Keep an eye on our reports for additional monthly updates and information regarding upcoming interim committee meetings we are monitoring. Please do not hesitate to contact us with questions.

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