

Kansas Chapter of the American Academy of Pediatrics Public Policy Report

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Introduction

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- 19 Legislative sessions as lobbyist.
- 6 years non-partisan staff working for Kansas Legislature.
- Ph.D. in History.
- Experience representing interests of health care field, schools, local governments, and business on legislative and administrative remedies.
- Third session as consultant with the Kansas Chapter.
- More extensive policy and legislative liaison and advocate.

Overview

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- 2019 Session.
- Big Picture Issues Going Into 2020.
- Health Care Issues.
- Upcoming elections and issues.
- Wrap Up.

2019 Session Highlights

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- New Governor; generally same Legislature but the process changed.
- Significant action for the first time in years. The 2018 election impacted almost all issues.
 - New agencies, leadership.
 - Initiatives and ideas opened up.
 - Health committee gridlock breaks, a little.
- Family First Preservation Services Act Funding. Funding in the budget of \$14 million per year.
- Family First Prevention Services Act –HB 2103. Passed both chambers.
- Conference Committee Report on HB 2119.
 - HB 2402: Corporate practice of medicine (as amended).
 - HB 2082: Allowing pharmacist to administer injections pursuant to prescription unless specifically prohibited.

2019 Session Highlights

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- Resolved school finance lawsuit.
- Defeated efforts to return to Brownback era tax reduction policy.

2019 Session Highlights

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Failed to address:

- Medicaid expansion. House Bill 2066 passed House, not Senate.
- Farm Bureau and association health plan bills. HB 2099 passed both chambers, Governor signed.
- SB 28 passes: Authorizing the use of cannabidiol treatment preparation to treat certain medical conditions.
- Recognition of concealed carry permit between jurisdictions and lower concealed carry age to 18. House Bill 2326. Passed House, awaiting action in Senate. Alive in 2020.

One main outcome was Legislature and Governor's office learning how to handle each other but not always cooperatively.

AAP Advocacy Highlights from 2019

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- KAAP, AAP, and Casey Foundation role in FFPSA event.
- Meeting with KDHE Secretary Dr. Norman, Mel, and Dr. Hubbard.
- Policy summaries, weekly policy update calls throughout the 2019 Session.
- AAP testimony on seven bills or policy topics.
- Advocacy Day February 12, in conjunction with FFPSA including Governor, policy makers, and national speakers.
- Laying the groundwork for on-going action.

Big Picture Issues Going Into 2020

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There are some big picture issues that are relevant as they impact funding, policy options, and political environment in 2020.

- **Education:**
 - For first time in eight years K-12 school finance is not an issue because Gannon lawsuit resolved.
 - Final \$500 million inflation funding resolved lawsuit.
- **Tax Policy/Revenue**
- **Taxes:**
 - 2017 reversal of Brownback tax cuts producing stable and increasing revenue.
 - Almost \$1 billion ending balance at end of the 2019 fiscal year.
 - Current agriculture prices, crop issues, and tariff issues may have an impact on revenue in the upcoming months
 - 2019 Legislature passed two tax reduction bills; the Governor vetoed both, and the Legislature failed to override.
 - Significant revenue issues during 2020 session and after as long-standing problems such as KPERS and KDOT spending consume revenue.
- **Other tax issues:**
 - Collection of on-line (Amazon) and digital (Netflix) sales taxes—Attorney General stopped Governor's plan.
 - Local property tax issues that may impact commercial property tax calculations and may result in a constitutional amendment.

Big Picture Issues Going Into 2020--continued

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- **Medicaid expansion:**
 - 2017 Legislature passed bill; Brownback vetoed, and override failed in Senate by three votes. After House passed bill in 2019, tremendous amount of interim legislative and executive branch activities including Governor's Medicaid Expansion Council, etc.
- **Non-economic loss damages—Supreme Court decision may impact insurance costs. Possible constitutional amendment.**
- **Two abortion issues:**
 - Legislature failed to override veto of "medical abortion reversal drug."
 - Supreme Court decision asserting the Kansas Constitution includes right to an abortion. Could result in constitutional amendment.

Health care-related issues Going into 2020

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Several issues active in 2019 will likely continue into 2020.

- Tobacco 21, vaping and e-cigs.
- Vaccinations—possible reaction to 2019 interim KDHE policy.
- Recognition of concealed carry permit between jurisdictions and lower concealed carry age to 18. House Bill 2326. Passed House.
- Prohibit healthcare questions regarding weapons. House Bill 2415.
- Medicaid expansion. House Bill 2066 passes House, not Senate.
- Abortion issues.
 - SB67 passage/fail to override: Requires notification to patients that the effects of a medication abortion may be reversible.
 - The State Supreme Court ruling in the Hodes & Nauser, MDs v. Schmidt concluded that the right to an abortion is protected by the State constitution.
- APRN Scope of Practice. HB 2412. Did not pass either chamber.
- Providing for the legal use of medical cannabis. Senate Bill 113.

Recent Elections:

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- 2016 Elections Legacy.
- 2016 shifted the majority that governs more toward the center of the political spectrum and diminished Brownback power.
- 2017 session reversed the 2012 tax policy achieved over the override of the Governor's veto.
- 2017 House and Senate passed Medicaid expansion bill and failed by three votes to override.
- During the 2017 and 2018 sessions, the Legislature sent two bills to the Supreme Court adding a combined \$800 million over a six-year period to attempt to satisfy the Court's expectations of adequate funding of K-12 education. Finished in 2019 session.
- 2018 Election of Governor Kelly, but diminution of moderate coalition has an impact.

Potential Changes in 2020

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- 2018 Elections stopped the 2016 trend of moderate Republicans. Conservatives strengthened in the House.
 - Moderate Republicans in House and Senate elected in 2016 are facing elections on votes for increased tax revenues during the 2017 session and increased funding for schools in the 2017-2018 session. Senate Moderates face first election since 2016.
 - Moderate House Republicans lost seats in 2018. Will moderate Senate Republicans lose in 2020?
- Kansas House of Representatives, all Kansas Senators up for reelection.
- Kansas U.S. Congressional Representatives up for reelection.
- One Kansas U.S. Senate Seat up for election.
- State House Speaker in last term. State Senate President running for U.S. Senate. House and Senate will have many challenges as key legislators balance issues, elections, and political leadership fights.
- Politics and not sound policy may dominate the 2020 session.

Questions and Wrap Up

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