March 15, 2020

**General Overview**

- The coronavirus is causing uncertainty at the Statehouse, with rumors abounding that first adjournment, initially scheduled for Friday, April 3rd, will likely be moved up. Any early departure would allow a longer than normal Spring Break before the Legislature reconvenes for Veto Session on April 27th. Lawmakers are hopeful these extra weeks give some time to see how the spread of the virus progresses, as well as how the financial markets and State revenue responds, following Thursday’s worst day for the market since 1987. Legislators are hopeful this will allow some time for the market to stabilize before they take any significant action on taxes and budgets.

- The House Friday morning voted unanimously to extend the Governor’s State of Disaster Emergency Declaration for the State to January 25th, 2021. Following the announcement of the state’s first coronavirus-related fatality, Thursday evening the Governor issued a Declaration of Emergency valid for 15 days, but the Legislature’s action will give state agencies, public health officials, emergency responders, and communities time and resources to “mitigate the harms” of the coronavirus. It will also allow for additional resources for KDHE to use for testing, public information, etc. Additionally, the Governor has the ability to repeal the emergency declaration prior to January 25, 2021.

- This report details hearings from this past week, as well as hearings and possible action for next week, keeping in mind the schedule may change.

**Big Picture Issues**

- Senate Ways & Means and House Appropriations advanced their budgets quickly at the end of the week. The House will likely advance the budget Friday afternoon and the Senate will reconvene Monday to take up their budget bill.

- A new proposal for the abortion amendment emerged this week that would move the amendment to the November general election ballot. It is not clear at this point how House leadership and amendment supporters feel about the new proposal. The issue is not dead and still linked to Medicaid expansion, and will come up again during the wrap up session in April.

- Still no movement on Medicaid Expansion. The Poor People’s Campaign held a massive protest this week, ending with several protestors being escorted out by Capitol police. Discussion on several of the big-ticket items of the Session have ground to a halt as attention has shifted to the pending public health response to coronavirus, as well as the extreme volatility of the stock market and state revenue.

- Keep in mind, legislative leadership opposition to Medicaid expansion continues to stall action on all healthcare legislation.

**Healthcare Issues**

- 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/](http://www.kslegislature.org/li/b2019_20/measures/bills/)
• There are two informational briefings scheduled—one in Senate Health discussing the Family First Prevention Services Act and the other in the House Health committee on the Brain Injury Waiver and a KDHE presentation on the Palliative Care Program.
• Currently there are no bill hearings scheduled next week in either of the health committees. We anticipate no action on healthcare legislation this week.

Public Health
• SB 252: Compromise Medicaid Expansion:
  o SB 252 is not exempt, was not approved for action in the second half of the session, and is dead, although the issue is not, but is being overshadowed by coronavirus concern.
• HB 2631: Prohibiting disparate treatment by PBM’s of certain pharmacies and pharmaceutical services providers.
  o Bill was blessed and is alive for the second half of Session but unlikely to see action.
• HB 2563: Tobacco 21/Flavor Ban.
  o The bill was amended to follow federal guidelines, essentially allowing for the menthol exemption to be put in statute.
  o Exempt and alive for remainder of Session.
• HB 2582: Creating the behavioral health intervention weighting as part of the Kansas school equity and enhancement act.
  o New school finance formula to fund school positions and pay community mental health centers.
  o Includes funding of $12.5 million.
  o Bill was blessed for work.
  o Subcommittee to meet Monday/Tuesday to discuss and hear input from stakeholders.
• HB 2673: Conferring original jurisdiction to the Supreme Court to hear certain actions related to healthcare provider insurance availability act, healthcare stabilization fund and claims for noneconomic loss in medical malpractice liability actions.
  o Bill was blessed and is alive for the second half of Session.

Scope for practice/regulatory
• HB 2412: APRN scope of practice.
  o Allows independent practice, prescription writing authority, but regulated by Board of Nursing not the Board of Healing Arts.
  o Exempt. Alive for second half of Session.
• HB 2603: Amending BSRB professional licensing requirements.
  o Makes supervision standards for all licensed professions equal to social workers, 3,000 and 150 hours.
  o Bill was blessed and is alive for the second half of Session.
• HB 2630: Updating certain provisions of the Kansas dental practice act.
  o Bill was blessed and is alive for the second half of Session.
Rural Hospitals & Health
- HB 2677: Establishing a primary health center and enacting the primary health center pilot program act contingent upon state acceptance into a demonstration program under CMS.
  - Bill was blessed and awaits action during the second half of the Session.
- HB 2522: Establishing the rural hospital innovation grant program.
  - Grants can be used for market studies of community healthcare needs, new technology and infrastructure including telemedicine delivery methods, and additional medical personnel.
  - House Appropriations passed the bill as amended Thursday, 3/12.
    - Clarifying amendments including amendment allowing for counties to enter into MOUs and other necessary agreements with private stakeholders and other eligible counties.
- SB 381: Authorizing medical student and residency loan assistance to encourage the practice of OBGYNs in medically underserved areas of the state.
  - Passed Senate 25-15.

Children’s Issues
- HB 2187: Establishing the office of the child advocate.
  - Bill was blessed and is alive for the second half of Session.
- SB 364: Newborn Screening bill.
- SB 484: Authorizing DCF Secretary to request a waiver from certain limitations under the food assistance program.
- SB 485: Providing additional option to fulfill work participation requirements under the cash assistance program.
  - Would allow additional option to fulfill work participation requirements under the cash assistance program. Would allow a single parent of a child who is between 3 and 12 months to fulfill work requirements by engaging in in-home parenting skills training.

Upcoming Activities
- The legislative schedule of hearings is updated regularly throughout the week can be found in the House and Senate calendars on the Legislature’s website at: http://www.kslegislature.org/li/b2019_20/chamber/calendars/
- Additionally, all hearings are now available on-line live and archived by the end of each day. You can find those hearings on the Legislature website at: http://sg001-harmony.sliq.net/00287/Harmony/en/View/Calendar/
- Link to House and Senate live video: https://www.youtube.com/channel/UC_0NO-Pb96CFABvxDwXAq8A

Tuesday, March 17.
Senate Public Health, 9:30 AM.
- Informational briefing on FFPSA.
  Senate Judiciary, 10:30 AM.
- Hearing on SB 469 Imposing a civil fine for operating a childcare facility without a license.
  
  **Wednesday, March 18.**
  House Health, 1:30 PM.
- Presentation on Brain Injury Waiver and KDHE Palliative Care Program.
  
  **Thursday, March 19.**
  Senate Financial Institutions & Insurance
- Pending hearing on SB 495 Contingently reinstating the Kansas uninsurable health plan act and renaming it the Kansas guaranteed coverage pool act.
  - Ties expansion to the Supreme Court ruling in *California v. Texas* challenging the constitutionality of the ACA.