Disclosure

- I have no relevant financial relationships with the manufacturers(s) of any commercial products(s) and/or provider of commercial services discussed in this CME activity.

- I do not intend to discuss an unapproved/investigative use of a commercial product/device in my presentation.
Introduction

- Twenty-years in government relations and advocacy.
- Associate Mallory Lutz.
- Experience representing interests of healthcare field, schools, local governments, and business on legislative and administrative remedies.
- [https://lgrkansas.com/](https://lgrkansas.com/)
- Sixth session as consultant with the Kansas Chapter.
- Thank you for allowing us to work with you.

Overview

- 2021 Session, Highlights, & Big Picture Issues.
- 2021 KAAP Legislative Activity & Engagement.
- Upcoming elections and Issues.
- Wrap Up and Questions.
Big Picture Issues Before COVID

- Medicaid expansion.
- Non-economic loss damages—Supreme Court decision may impact insurance costs.
- Abortion issue: Supreme Court decision results in 2021 constitutional amendment on the August 2022 ballot.
- Tobacco 21, vaping and e-cigs.
- Vaccinations.
- Various weapons-related issues, red-flag laws, legal age, prohibition against healthcare questions regarding weapons.
- APRN Scope of Practice.
- Medical cannabis.

2021 Issues

- 2020 Elections: Conservative Republicans increase, Democrats decline. Consolidation of conservative majority in Legislature.
- 2021 issues are driven by anti-schools, anti-mask; anti-public health, anti-vaccinations, anti-Governor.
- Four main topics:
  - Constitutional amendment on abortion.
    - Done: Constitutional amendment on August 2022 ballot.
  - Rewrite Kansas Emergency Management Act and emergency powers.
    - Done: SB 40 before the supreme court on appeal. Gives almost all power to elected officials.
  - Pass tax reduction bill the Governor vetoed three times.
    - Done: Passed over Governor’s veto.
  - Fund schools, non-public schools push.
    - Done, in part: Fully funded, but non-public schools issue pushed to 2022.
2021 Session Highlights

- Different from previous years.
- Weekly reports during the session.
- Weekly policy briefing and discussion on Fridays.
- Engagement with peer organizations to coordinate advocacy and testimony.
- Represented KAAP in ongoing telemedicine legislation activities.
- Pandemic 2020 summer and fall significantly limited meetings and activities.

Legislative Activities 2021

- HB 2086: School emergency medication kits and to administer such medication. No action.
- HB 2095: Courts to prohibit possession of a firearm in a temporary custody. No action.
- HB 2250: Expanding newborn screening services and increasing funding included in budget bill.
- HB 2251: Domestic violence situations require relinquishment of firearms pursuant to court orders. No action.
- HB 2059: Reciprocity for concealed carry handguns and lowers the age from 21 to 18. Overrode Governor veto.
- HB 2256 and SB 174: Expanding APRN scope of practice. No action.
- SB 208 (later SB 55): Require that female student athletic teams only include members who are biologically female. Governor vetoed.
Legislative Activities 2021 Cont.

- SB 199 (later SB 29): Short-term limited duration health plans. Governor vetoed.
- SB 200: Expanding pharmacist’s scope of practice to include point-of-care testing for and treatment of certain health conditions. No action.
- SB 235: Require school districts to provide a full-time, in person attendance option for all students beginning March 26, 2021. Passed House, failed Senate.
- SB 212: Granting immunity for infectious disease due to a lack of immunization, adverse employment action based on an employee’s immunization status, prohibiting the secretary of health and environment from requiring additional immunizations to attend a child care facility or school. Did not pass.
- SB 213: Prohibiting an employer from taking any adverse employment action against an employee because of the employee’s vaccination status. Did not pass Senate.

Big Picture 2022

- Election year shapes everything. Redistricting is the unknown factor.
- Employer/employee issues: Vaccination requirements, require increased employer health care contributions, limits on business ability to address employees.
- Emergency management changes.
- Public health authority: masks and vaccines.
- Tax reductions since State cash balance is in excess of $2.1 billion.
- Education--non-public schools, critical race theory and it’s secondary impacts, and schools public health authority.
### Healthcare-related issues going into 2022

- Vaccinations, COVID-related in particular, and possible statutory or policy changes that may be required, will elevate vaccines in general.
- Debate about public health policy, health experts and elected officials’ authority.
- Extension of Medicaid Postpartum coverage.
- Mid-level scope of practice legislation will remain alive for 2022.
- Telemedicine legislation following the expiration of Executive Order waivers.
- Ongoing child welfare issues.

### Potential Changes in 2022

- **2018 Elections** stopped the 2016 trend of moderate Republicans. Conservatives strengthened in the House & Senate.
- **2020 Elections** wiped out moderate Republicans and reduced Democrats.
- **2022 All Kansas House of Representatives up for reelection.**
- Derek Schmidt likely frontrunner in 2022 Governor’s race.
- **2022 Kansas U.S. Congressional Representatives up for reelection.**
- One Kansas U.S. Senate Seat up for reelection (Sen. Moran).
- **2022 elections** will impact healthcare policy for decades.
Questions and Wrap Up

- Stuart J. Little Ph.D.
- stuartjlittle@mac.com
- 785-845-7265
- Mallory Lutz, Associate:
  - lutzmallory@gmail.com
  - 785-409-8351
- Advocacy Day in Topeka Wednesday, February 9th.