

Legislative Update
January 12, 2018
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Governor Delivers Final State of the State Address

Governor Sam Brownback delivered his final State of the State address on Tuesday, January 9, 2018. His address was long on dreams for Kansas' future, but short on specifics for achieving those – most particularly, how to finance his goals.

Legislative leaders on both sides of the aisle expressed frustration at the lack of specificity and that the State Budget actually drops back into a deficit in two years. This is true even with the significant sales and income tax increases of the past two years and taking funds away from other dedicated accounts, such as the State Highway Plan. The angst and fatigue are palpable in the State Capitol halls – and it is just week one.

In his budget proposal, the governor recommends an additional \$22.1 million in fiscal year (FY) 2019 to provide a 4-percent Medicaid rate increase to hospitals. He also provides \$2.3 million as “seed” money to hospitals that start a new graduate medical education (GME) residency program. When asked by legislators just how the seed funding would work, state budget director Shawn Sullivan responded that the initiative was being driven by Lt. Governor Colyer and more specificity would have to come from him.

Key Issues for the 2018 Legislature

The proverbial “elephant in the room” this session will be responding to the *Gannon V* order of the Supreme Court to more adequately fund K-12 education. While the Supreme Court did not order a specific amount, there were allusions to studies that suggested anywhere from \$600- to \$800 million in additional state funding would be needed to meet constitutional muster. How the Legislature will find needed funding will be a topic of hot debate throughout the session.

Telemedicine and addressing opioid addiction will be chief topics for the health committees. During the interim, a House-Senate joint committee held hearings on telemedicine. KAFP, along with numerous other stakeholders, offered policy recommendations for providers and insurers.

KAFP, KMS and other health care provider groups have been insistent that any provider delivering services in this manner must be held to the same standards of practice and conduct of those delivering services in person, as determined by the Board of Healing Arts and the Behavioral Sciences Regulatory Board.

A bill developed by KMS, KHA, insurers and TeleDoc, in concert with key legislators, is being introduced and will likely have a public hearing in the House Health and Human Services Committee in coming weeks.

Opioid addiction, having been a topic of concern all over the country and in the media, is also drawing legislative interest. Educating legislators on this issue will be especially critical. Already some in the law enforcement community have suggested policy that would give them undue access to confidential K-TRACS prescribing information and bypass the current oversight of the prescription monitoring committee. This proposal sees providers as key to the problem and seeks a punitive response.

This is a multi-faceted issue and there are many factors contributing to what is being called an opioid “epidemic.” Education on appropriate standards of care is already happening in Kansas' provider community and those efforts may be enhanced within existing systems, rather than adopting a swat-team type of approach.

Additionally, an alliance of health care stakeholders is continuing its legislative effort to pass Medicaid expansion. Last year, of course, the Legislature passed legislation doing so and the governor vetoed it. The measure fell just a few votes shy of an override.

House and Senate health committees will again this year seek to move early on these and other health care measures, knowing that attention later in the session will likely be focused on school funding and State Budget issues.

Family Doctor of the Day

KAFP is again sponsoring the Family Doctor of the Day (FDOD) program during the Kansas legislative session. Licensed physicians, including residents, volunteer to provide mostly-minor health needs to legislators and their staff. The Legislature highly values and appreciates access to these services, especially when so many are away from their hometown primary care physicians.

Last Monday, on the first day of the legislative session, both the House and the Senate gave a standing ovation to KAFP President **Dr. John Feehan**, recognizing the service of the FDOD physicians over the years. Appreciation also goes out to the following members, who provided FDOD care this past week: **Dr. Doug Iliff**, Topeka; and **Dr. Bob Moser**, Lawrence. Thank you all for your generous gift of care!

Relevant Legislative Committee Meetings for the Week of Jan 15-19

Tuesday, Jan 16

9:30 am, Senate Public Health & Welfare, Room 118-N

Hearing on: [SB 221](#) – relating to the Kansas code for child protection and newborn protection act

Wednesday, Jan 17

9:30 am, Senate Public Health & Welfare, Room 118-N

Hearings on:

- [HB 2343](#) – Ensuring non-discrimination of organ transplants on the basis of disability
- [HB 2106](#) – License renewal of treatment centers

1:30 pm, House Health & Human Services, Room 546-S

Informational hearing on: **Hemp CBD oil**

Thursday, Jan 18

9:30 am, Senate Public Health & Welfare, Room 118-N

Hearing on: [HB 2232](#) – electronic monitoring in adult care homes

1:30 pm, House Health & Human Services, Room 546-S

Informational hearing: **Long term care issues**