

KANSAS HEALTH CONSUMER COALITION

LEGISLATIVE UPDATE

2009 LEGISLATIVE SESSION, WEEK 6

Saturday, February 21st was “turn around”-the first major legislative deadline of the session. By that date, bills had to have been passed by at least one chamber to remain viable this year. A few committees are exempt from this deadline, including Appropriations, Ways and Means, Taxation, Federal and State Affairs, and Calendar and Printing. Most health related bills introduced this year did not meet the February 21st deadline.

GLOSSARY OF TERMS

- 1) **SB (Senate Bill)** – refers to a bill that originates in the Kansas Senate
- 2) **HB (House Bill)** – refers to a bill that originates in the Kansas House of Representatives

IMPORTANT DATES

Tuesday, March 3rd - Informational hearing on medical debt in the Senate Public Health and Welfare Committee; KHCC will present information on this issue to members of the Committee

For more information about legislative deadlines, bills, and how to contact your legislator, visit www.kslegislature.org.

UPDATES ON SPECIFIC BILLS AND LEGISLATIVE ACTIVITY

1) TOBACCO TAX

Bill #: HB 2327 (<http://www.kslegislature.org/bills/2010/2327.pdf>)

About the bill: HB 2327 increases the cigarette tax by \$.75 per pack, bringing the total tax to \$1.54 per pack. HB 2327 also increases the smokeless tobacco tax. The proceeds generated by the tax increase would go into a fund for health reform initiatives of the Kansas Health Policy Authority (KHPA). The funds generated by the existing tax (\$.79) would continue to go to the state general fund. The legislation also increases the cigarette tax by \$.04 annually beginning in fiscal year 2010 and continuing through 2014. The total state tax by 2014 would be \$1.75.

Action taken: HB 2327 has been assigned to the House Tax Committee, chaired by Representative Carlson. **Chairman Carlson has not yet decided whether the bill will receive a hearing.**

2) SMALL BUSINESS INSURANCE REFORM

Bill #: HB 2198 (<http://www.kslegislature.org/bills/2010/2198.pdf>)

About the bill: HB 2198 originally “mandated” that small employers offer high deductible health plans coupled with health savings accounts (HSAs) if they are offering health plans to their employees. The “mandate” has since been amended to say the offer of HSAs should be “voluntary”.

Action taken: KHCC testified in opposition to HB 2198 in the House Health and Human Services Committee. Several business groups also testified against the bill from the employer-mandate perspective. KHCC was the only group that voiced concern regarding the less than optimal benefits provided by HSAs.

The amended bill remains alive and was referred to the House Appropriations Committee.

3) DOCTORS

Bill #: SB 32 (<http://www.kslegislature.org/bills/2010/32.pdf>)

About the bill: SB 32 limits the ability of consumers to use apologies and/or admissions of fault in proceedings against health care providers.

KHCC opposes SB 32 and would like to see the bill amended to eliminate the reference to an admission of fault by a health care provider as inadmissible in a legal proceeding.

Action taken: Referred to the Senate Committee on Judiciary; Proponents and opponents presented testimony on January 28, 2009.

SB 32 is dead for this year.

4) CLEAN INDOOR AIR

Bill #: SB 25 (<http://www.kslegislature.org/bills/2010/25.pdf>)

Supplemental note for bill: <http://www.kslegislature.org/supplemental/2010/SN0025.pdf>

About the bill: No person shall smoke in a public place, an enclosed area, or at a public meeting except in designated smoking areas.

Action taken: Proponents presented testimony to the Senate Committee on Public Health and Welfare on January 27, 2009. Opponents presented testimony on January 29, 2009. The Senate Public Health and Welfare Committee passed SB 25 with amendments.

SB 25 passed the Senate and is now in the House Committee on Health and Human Services.

5) MEDICAL DEBT

Bill #: HB 2285 (<http://www.kslegislature.org/bills/2010/2285.pdf>)

About the bill: HB 2285 proposes new penalties on consumers with medical debt. Specifically, consumers who do not pay hospital or health care provider bills within ninety days would have the debt turned over to the Kansas Department of Health and Environment (KDHE). KDHE would “flag” these consumers with the Department of Administration for the purposes of capturing any state income tax refunds due to these consumers and applying the refunds to their medical debts.

KHCC feels HB 2285 is a step backward in our attempt to distinguish medical debt as different from discretionary debt, and fails to address the extreme hardship of paying costly medical bills within a ninety day time frame. By establishing such a short time frame, HB 2285 fails to recognize a dispute in charges that may not be resolved within ninety days.

Action taken: HB 2285 was introduced in the House Health and Human Services Committee and has been referred to the House Social Services Budget Committee.

HB 2285 is dead for this year.