



BRADEN · HEIDNER · LOWE
& ASSOCIATES

LEGISLATIVE REPORT



KDHA

Kansas Legislative Report

January 29, 2021

Another week is in the books as the session calendar turns to February. The first three weeks of session offered an extraordinary amount of activity beyond anything seen in recent memory. To date, almost 300 bills have been introduced with a couple hundred more on the way. Committees continue to hit the ground running with dozens of bill hearings taking place. Most remarkably, Governor Kelly has already signed the first 2021 bill into law. SB 14, which extends the Emergency Management legislation, was passed last week by the House and Senate. Moreover, the House and Senate have both approved a proposed constitutional amendment related to abortion with the required 2/3 majorities. The proposed constitutional amendment, known as HCR 5003, will appear on the August 2022 ballot.

Despite the early progress, the flavor of the session remains focusing on the highest priority items. Other issues may or may not receive attention in the meantime as long as the Legislature is meeting. The only remaining item that is constitutionally required is the creation and approval of the state budget. The budget will begin to be pieced together by the House and Senate budget committees next week.

KDHA has introduced its Dental Therapy Bill in the Senate Public Health & Welfare Committee and the House Health & Human Services Committee. In the House, the bill is HB 2179 while the Senate bill number is yet to be assigned. The bills are essentially identical to the version passed by the Senate 38-0 in 2018. The 2018 legislation was a compromise that was publicly supported by both KDHA and the Kansas Dental Association. Though it remains to be seen what official position KDA will take in 2021, KDHA remains supportive of the compromise effort approved by the 2018 Senate.

The Senate Public Health and Welfare Committee received an update on oral health in Kansas. Oral Health Kansas reported to the committee that the state receives a C grade for oral health. The Kansas Dental Association reported that dental offices are operating at 80-85% capacity compared to normal. KDA added that dentists have received vaccines for COVID-19.

KDHA continues to monitor licensure bills under consideration under the dome. HB 2066, known as the Licensure Reciprocity Bill, provides that people licensed out of state, current or former

military and military spouses who move to Kansas a fast track to obtain a Kansas license. The committee may consider action next week.

Another licensure bill, called the Right to Earn a Living Act (SB 10), was considered by the Senate Commerce Committee. In short, SB 10 calls for every regulatory agency to provide a comprehensive review of all occupational rules and regulations and occupational licenses that justifies its function, impact on workers, consumer choices and cost and comparison to other states. In the hearing, Senator Hilderbrand (R-Galena) led testimony followed by policy groups aiming to review licensure. Proponents noted concerns with the amount of training and fees required for entry level occupations. The State Board of Technical Professions, State Board of Pharmacy and State Board of Healing Arts voiced opposition citing the bill goes too far.

SB 34 proposes to bring changes to the state’s administrative rules and regulations. SB 34 calls for all administrative rules and regulations currently on the books to expire after five years unless the agency and Legislature take action to renew the regulation. The Senate Federal and State Affairs Committee held a hearing that saw Senator Hilderbrand (R-Galena), Kansas Chamber of Commerce and Americans for Prosperity voice support for the bill noting Kansas has 71,000 regulations on the books. The Kansas Secretary of State’s office, Department of Wildlife and Parks, State Board of Pharmacy and Board of Healing Arts appeared as neutrals while the State Board of Technical Professions testified in opposition. The neutral and opponents collectively noted there is not a clear review process included in the bill.

Thank you and please let us know if you have any questions. Please see below for the bill matrix.

Travis Lowe



Bill Number and Sponsor	Bill Subject	Current Status	Last Action
SB 10 Richard Hilderbrand, R-13th	Enacting the right to earn a living act to minimize unnecessary occupational licensing and regulation	In Senate Commerce	01/20/2021 - Senate Scheduled Hearing in Commerce: Wednesday, 1/27, 10:30 AM, Rm 546-S
SB 34 Senate Federal and State Affairs Committee	Sunsetting administrative rules and regulations five years after adoption unless extended by the legislature	In Senate Federal and State Affairs	01/21/2021 - Senate Scheduled Hearing in Federal and State Affairs: Tuesday, 1/26, 10:30 AM, Rm 144-S

<p>HB 2061</p> <p>House Federal and State Affairs Committee</p>	<p>Increasing the minimum age to purchase or possess cigarettes and tobacco products from 18 to 21, and prohibiting cigarette vending machines and flavored vaping products</p>	<p>In House Federal and State Affairs</p>	<p>01/27/2021 - House Scheduled Hearing in Federal and State Affairs: Tuesday, 2/2, 9:00 AM, Rm 346-S</p>
<p>HB 2066</p> <p>Chris Croft, R-8th</p>	<p>Expanding the military spouse and servicemember's expedited licensure law to all applicants who have established or intend to establish residency in Kansas, providing for the practice of telemedicine by out-of-state physicians, permitting the issuance of temporary licenses in emergencies and the use of electronic credentials</p>	<p>In House Commerce, Labor and Economic Development</p>	<p>01/27/2021 - House Scheduled Discussion & Action in Commerce, Labor and Economic Development: Monday, 2/1, 1:30 PM, Rm 346-S</p>
<p>HB 2129</p> <p>House Insurance and Pensions Committee</p>	<p>Providing for tobacco cessation benefits coverage under the state health care benefits program</p>	<p>In House Insurance and Pensions</p>	<p>01/26/2021 - House Referred to Insurance and Pensions</p>
<p>HB 2179</p> <p>House Health and Human Services Committee</p>	<p>Providing for the licensure of dental therapists</p>	<p>In House Health and Human Services</p>	<p>01/29/2021 - House Referred to Health and Human Services</p>