

LEGISLATIVE REPORT

KDHA

Kansas Legislative Report

February 17, 2022

All eyes are on the Turnaround legislative deadline as committees spent this week working feverishly to hold hearings and recommend bills. Dozens of bills, recommended by committees, are now awaiting debate by the Senate or House. Next week will provide one last day for committees to meet on Monday, with the following three days dedicated for Senate and House general session debates.

With the session nearing its half-way point, pressure continues to mount on lingering issues. Budget bills will continue to be pieced together while other issues like food sales tax and state redistricting maps are expected to be pushed to March. The congressional redistricting map, already completed by the Legislature, is being formally challenged in court by several groups.

Though there is no new action on SB 129, creating dental therapy, the House Committee on Health and Human Services held hearings on two dental industry bills.

The first, HB 2386, establishes requirements for the payment and reimbursement of dental services by a dental benefit plan. Three representatives of the Kansas Dental Association testified in support of the bill asserting the bill is a National Council of Insurance Legislators template that was a national compromise on many issues between the National Association of Dental Plans and the American Dental Association. Delta Dental also supported the bill while the American Council of Life Insurers submitted neutral remarks. Later in the week, the committee considered action and amended the bill to remove a section that resolved concerns. The bill was then sent to the House floor.

The House committee also held a hearing on HB 2545, defining non-covered dental benefits under health insurance plans. Once again, three representatives of the Kansas Dental Association spoke in favor of the bill noting the bill is a compromise between Delta Dental of Kansas and the Kansas Dental Association. The Dental Association stated some insurance companies have found a loophole in this law by simply covering all (or many) dental services for a small rate and then setting the fees dentists can charge for them while providing virtually no benefit or

reimbursement to the insured patient. On the other hand, Cigna Insurance opposed the bill with Delta Dental as a neutral.

At the moment, no movement has occurred for the Dental Association’s SB 121. This bill, introduced last session, proposes to allow the Kansas Dental Board to take disciplinary action against a dental licensee for failing to perform an examination of a patient prior to diagnosing and correcting malpositions of human teeth or initial use of orthodontic appliances. The bill had a hearing in January and must be passed by February 24 to remain alive.

Another bill to watch pertains to agency rules and regulations that govern the industry. Senate Substitute for SB 34 sets up a process for agencies to formally review its administrative rules every five years. This includes the Kansas Dental Board. This bill, recommended by the Senate Committee on Federal and State Affairs, could be considered on the Senate floor next week.

Momentum has appeared to have slowed for Senate Substitute for HB 2280. This is the bill that mandates pharmacists to dispense prescriptions related to COVID treatment. The bill, first recommended by the Senate Committee on Public Health and Welfare to the Senate floor, was sent back to committee. The bill’s fate is uncertain with the possibility of further amendments before being recommended again or the bill may not move at all.

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
Sub for SB 34 Senate Federal and State Affairs Committee	Requiring review of administrative rules and regulations every five years	On General Orders in Senate	02/14/2022 - Senate Committee Report recommending substitute bill be passed, by Federal and State Affairs
SB 121 Senate Public Health and Welfare Committee	Updating certain provisions of the Kansas dental practice act	In Senate Public Health and Welfare	01/19/2022 - Senate Scheduled Hearing in Public Health and Welfare: Tuesday, 1/25, 8:30 AM, Rm 142-S

SB 129 Senate Public Health and Welfare Committee	Providing for the licensure of dental therapists	In Senate Public Health and Welfare	02/03/2022 - Senate Scheduled Discussion & Action in Public Health and Welfare: Monday, 2/7, 8:30 AM, Rm 142-S
SB 227 Senate Public Health and Welfare Committee	Providing dental benefits for medicaid enrollees and making technical updates to the dental practices act	In Senate Public Health and Welfare	02/12/2021 - Senate Referred to Public Health and Welfare
HB 2061 House Federal and State Affairs Committee	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	In House Federal and State Affairs	01/14/2021 - House Referred to Federal and State Affairs
HB 2129 House Insurance and Pensions Committee	Providing for tobacco cessation benefits coverage under the state health care benefits program	In House Insurance and Pensions	02/03/2021 - House Scheduled Hearing in Insurance and Pensions: Wednesday, 2/10, 3:30 PM, Rm 218-N
HB 2179 House Health and Human Services Committee	Providing for the licensure of dental therapists	In House Health and Human Services	01/29/2021 - House Referred to Health and Human Services
HB 2340 House Federal and State Affairs Committee	Increasing the minimum age to 21 to purchase or possess cigarettes and tobacco products	On General Orders in House	03/01/2021 - House Committee Report recommending bill be passed, by Federal and State Affairs
HB 2370 House Commerce, Labor and Economic Development Committee	Prohibiting a criminal conviction from acting as a sole disqualification for occupational licensure and creating guidelines to follow when considering criminal convictions of an applicant for occupational licensure	In House Commerce, Labor and Economic Development	02/12/2021 - House Referred to Commerce, Labor and Economic Development
HB 2386 House Health and Human Services Committee	Establishing requirements for the payment and reimbursement of dental services by a dental benefit plan	In House Health and Human Services	02/09/2022 - House Scheduled Hearing in Health and Human Services: Monday, 2/14, 1:30 PM, Rm 112-N

HB 2545 House Health and Human Services Committee	Defining non-covered dental benefits under health insurance plans	In House Health and Human Services	02/09/2022 - House Scheduled Hearing in Health and Human Services: Monday, 2/14, 1:30 PM, Rm 112-N
HB 2546 House Health and Human Services Committee	Requiring health benefits plans that provide dental care services to provide certain information, accept certain claims and not reduce certain payments	In House Health and Human Services	01/26/2022 - House Referred to Health and Human Services
HB 2672 Bill Rhiley, R-80th	Creating the open borders for Kansas jobs act providing that professionals in certain occupations holding credentials from a state that has substantially equivalent requirements for such credentials as Kansas may be issued Kansas licenses or certifications	In House Commerce, Labor and Economic Development	02/10/2022 - House Referred to Commerce, Labor and Economic Development