

**Legislative Update
11 April 2014**

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Legislature adjourns

The 2014 Legislature adjourned its regular session late Sunday, April 6. Adjournment was planned on April 4, but was delayed by disagreements over school finance legislation. Legislators will return for the veto session on April 30.

Cap on damages bill to the governor

[SB 311](#), increasing the caps on non-economic damages, has passed the Legislature. The House removed the portion of the bill relating to the admissibility of collateral source benefits evidence, which had passed in the Senate. A House-Senate conference committee was appointed to resolve the differences between the chambers.

The first section of the bill dealt with the non-economic damages increases, requested by KMS and other health care providers, and that portion of the bill was non-controversial and passed intact.

The Kansas Chamber of Commerce requested the other two sections of the bill and those endured the most criticism from trial lawyers, the AARP, and others representing seniors and the disabled. The House agreed with these groups, in part. They left in the third section, regarding expert testimony, but removed the collateral source section. They agreed with concerned groups that adopting the second section would unfairly favor wrongdoers over victims.

The Kansas Chamber then retracted their support of the bill and sought to have it killed. Due to the efforts of KMS, KHA, KAFP and physician members, the legislature did finally agree to the House version. SB 311 is now awaiting the governor's signature to become law.

KAFP commends KMS for its leadership on SB 311 and seeing it through to a successful conclusion.

Health care stabilization fund

[HB 2516](#) amends provisions relating to the Health Care Stabilization Fund (HCSF). The bill allows continued HCSF coverage for inactive health care providers ("tail coverage") immediately upon cancellation or inactivation of a Kansas license and professional liability insurance, and increases the level of tail coverage available. Further, it makes tail coverage available for new professionals and facilities for prior acts and it limits disclosure of HCSF claims information to the public.

The bill is now awaiting the governor's signature.

MCO prompt payment advances

[HB 2552](#) is aimed at adding prompt pay provisions and penalties on contracts between the Kansas Medical Assistance Program (KMAP) and managed care organizations. This was a bill widely supported by health care providers.

Unfortunately, the Senate amended the bill to *prohibit Medicaid expansion – a chief priority of KAFP – without the express consent and approval of the Legislature*. Because of the differences between the House and Senate versions, the bill was sent to a conference committee for resolution. In the end, the House agreed to the Senate amendment and passed the bill, 68-54.

Physicians to meet with APRNs

Representatives from KAFP and KMS are scheduled to meet with APRN representatives on April 24, to discuss practice expansion legislation proposed by APRNs. Both [SB 326](#) and [HB 2685](#), bills that would significantly expand APRN scope of practice to mirror that of primary care physicians, failed to receive any legislative action in the 2014 session.

However, legislators encouraged physician groups to meet with the APRNs to discuss concerns and differences. KAFP, led by president Dr. Mary Beth Miller (St. Francis), will participate in these discussions.

This is a beginning discussion only. KMS and KAFP have agreed to the meeting requested by the APRN group, but do not intend to pursue legislation this session.

2014 Bill Tracking

Each week, I produce a bill tracker that can be downloaded/viewed/printed on all pertinent bills that includes the bill number, sponsor, subject, status, and last action taken at <http://kafponline.org/Advocacy/BillTracker/>

Family Doctor of the Day

The Legislature and KAFP wish to thank the following for providing the FDOD service at the State Capitol the week of March 31 - April 4: **Dr. Michael Engelken**, Topeka; **Dr. John Feehan**, Olathe; **Dr. Dan Dickerson**, Eudora; and **Dr. R.C. Trotter**, Dodge City. Setting aside this kind of time in your already busy schedules is not easy, but your commitment is truly appreciated! KAFP especially thanks the “repeat performers,” who have provided multiple days of service to the Legislature this year.