



Scot Kibbe
Vice President, State Government Relations
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February 17, 2023

The Honorable William Sutton
Chair, House Committee on Insurance
300 W. 10th, Room 274-W
Topeka, KS 66612

RE: Concerns Regarding HB 2283– WRITTEN TESTIMONY ONLY

Dear Chair Sutton and members of the Committee,

Representing nearly 60 percent of the U.S. property casualty insurance market, the American Property Casualty Insurance Association (APCIA) promotes and protects the viability of private competition for the benefit of consumers and insurers. APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. In Kansas, APCIA's members write more than \$4.2 billion in property and casualty insurance premiums.

APCIA is concerned that the filed version of HB 2283 could be interpreted to include workers' compensation providers and carriers. While the part of the Insurance Code amended in this bill covers Health Maintenance Organizations and Medicare Provider Organizations, we are unclear whether Section 1 (5) (D) would bring workers' compensation into the requirements of this bill.

That subsection include in the definition of a utilization review entity "any other individual or entity that provides, offers to provide or administers hospital, outpatient, medical, prescription drug or other health benefits to a person treated by a healthcare professional in Kansas under a policy, plan or contract."

Health care under workers' compensation is not the same as healthcare under general medicine. The provision of medical care, and unitization review of workers' compensation medical care, is already heavily regulated within the workers' compensation laws and regulations. Workers' compensation has its own requirements, deadlines and review of medical care and has no co-pays or deductibles. Thus, lawmakers have treated it differently and we believe that is the correct decision.

We ask for clarification as to whether this bill will impact workers' compensation. If it is determined that it does, we would oppose the bill unless there is language to explicitly remove it.

We appreciate the opportunity to express our concerns regarding HB 2283. Please contact me directly at 512-461-1964 or via e-mail at scot.kibbe@apcia.org or APCIA's local counsels Larrie Ann Brown at (785) 640-2747 via e-mail at larrieannbrown@gmail.com and Brad Smoot at 785-224-1200 or via e-mail at bradsmoot@smootlawoffice.com with any questions.

Sincerely,