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MEMORANDUM

To: Senate Public Health Welfare Committee

From: Office of Revisor of Statutes

Date: March 12, 2024

Subject: HB 2784 - Transferring authority for certification of continuing care retirement communities from the Kansas insurance department to the Kansas department for aging and disability services.

House Bill 2784 transfers authority for certification of continuing care retirement communities from the Kansas insurance department to the Kansas department for aging and disability services.

Section 1 amends K.S.A. 39-923, the definitions section for adult care home statutes, by adding a definition of “continuing care retirement community” as “any place or facility that combines a range of housing and services to encompass the continuum of aging care needs provided at an independent living facility, an assisted living facility, a residential healthcare facility or a skilled nursing care facility within a single place or facility to avoid the need for residents to relocate to a separate place or facility. The provision of community care includes the multiple levels of care provided as part of a continuing care retirement community.”

Section 2 amends K.S.A. 39-936 by updating reference to a defined term in section 1.

Section 3 amends K.S.A. 40-2231 by adding a definition of “continuing care” and “secretary” and clarifying that “act” refers to K.S.A. 40-2231 through 40-2238.

Sections 4 through 7 change references from the commissioner of insurance to the secretary for aging and disability services and to require that annual disclosure statements, continuing care contracts and audits are filed by April 1 of each year.

In section 7, a provision was added by the house committee to allow a provider to appeal a decision to not issue or renew a certification.

There were House committee amendments. Section 8 of the bill was stricken from the bill by house committee amendments and would have lowered the nursing facility provider assessment rate for continuing care retirement communities.

HB 2784 would take effect on July 1, 2024, upon publication in the statute book.

HB 2784 passed the House 118 to 1.