

February 5, 2024

The Honorable Brenda Landwehr, Chairperson
House Committee on Health and Human Services
300 SW 10th Avenue, Room 112-N
Topeka, Kansas 66612

Dear Representative Landwehr:

SUBJECT: Fiscal Note for HB 2637 by House Committee on Health and Human Services

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2637 is respectfully submitted to your committee.

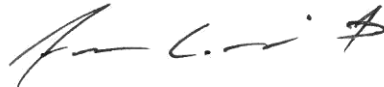
HB 2637 would expand the eligibility for a facility to apply for a rural emergency hospital license to include dates of January 1, 2015 through December 26, 2020, if the facility was a provider-based entity, provider department, or a facility as specified in KSA 65-484. Currently, the specified date is “as of December 27, 2020” and provider-based entities and provider departments are not specified as allowable types of facilities. The bill would also specify that “provider-based entity” means the same as defined in 42 CFR § 413.65. The bill would require the Kansas Attorney General to certify the passage of the federal Rural Emergency Hospital Adjustment Act to the Secretary of State. The certification would be required to be published in the *Kansas Register*. The bill would be effective upon publication in the *Kansas Register*.

The Kansas Department of Health and Environment reports that enactment of HB 2637 would not have a fiscal effect on the agency and states that the bill would supersede Centers of Medicare and Medicaid Services authority. The Kansas Attorney General’s Office notes that the Office of the Medicaid Inspector General and the Medicaid Fraud Control Unit would have the authority to audit and investigate the facilities referenced in HB 2637, but any additional reviews stemming from the bill would be handled within existing resources.

The Kansas Secretary of State states passage of the bill would not have a significant fiscal impact on the agency but notes that the charge to publish the required certification in the *Kansas Register* would be \$7.00 per column inch. The agency notes that generally, it is a minimum of two column inches or \$14.00 to publish text. The cost range charged would depend on several

factors, but printing can be omitted if it would be too expensive, cumbersome, or otherwise inexpedient. In those cases, the agency could provide a webpage link or reference to the text in the *Kansas Register*. Any fiscal effect associated with HB 2637 is not reflected in *The FY 2025 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam C. Proffitt" with a stylized flourish at the end.

Adam C. Proffitt
Director of the Budget

cc: Amy Penrod, Department of Health & Environment
Sandy Tompkins, Office of the Secretary of State
William Hendrix, Office of the Attorney General