

SESSION OF 2007

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2418

As Amended by House Committee of the Whole

Brief*

HB 2418, as amended, would amend the definition of “general hospital” in the hospital licensure law and would specify a time frame for facilities currently licensed as general hospitals that would be unable to meet the criteria established by the bill to meet the new requirements of this definition.

Specifically, the bill would add to the definition of “general hospital” requirements for the establishment to:

- Have a dedicated emergency department and provide 24-hour emergency services;
- Participate in the statewide trauma system and any plan for the delivery of emergency services applicable to its regions;
- Be focused on providing treatment for patients who require inpatient care; and
- Participate in the Kansas Medicaid Plan.

The bill would establish an additional criteria for general hospital licensure based on hospital discharge rates. The hospital would not be allowed to have more than 44 percent of its discharges in one major diagnostic category (cardiac, orthopedic or surgical cases). The two major diagnostic categories of the hospital could not exceed 65 percent of all

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

inpatient discharges.

The bill would allow hospitals licensed by July 1, 2007 as general hospitals to continue such licensure, even if the hospital does not meet the new criteria established by this bill, until December 31, 2009. In order to receive the licensure extension, the hospital would be required to submit a letter of intent to the Secretary of the Kansas Department of Health and Environment that states the hospital's desire to convert its facilities or program in order to meet the new criteria for licensure as a general hospital.

Background

HB 2418 was introduced by the House Committee on Health and Human Services at the request of the Kansas Hospital Association whose representative indicated at the House Committee hearing, the bill would update and provide clarity to the definition of "general hospital" in the Kansas hospital licensure law. The bill was supported by the University of Kansas Hospital; Via Christi Health System; and Wesley Medical Center. The bill was opposed by the Doctors Hospital L.L.C.; Heartland Spine and Specialty Hospital; Kansas Medical Center, L.L.C.; and the Kansas Surgical Hospital Association. A representative of the Kansas Surgical Hospital Association indicated that the current licensure definitions have not caused difficulties for surveyors, endangered patients, or misled the public. Representatives of the Kansas Department of Health and Environment and the Kansas Health Institute provided neutral testimony at the time of the House Committee hearing.

The House Committee of the Whole amendment provides for the extension of existing general hospital licenses until the end of 2009 under certain circumstances.

The fiscal note prepared by the Division of the Budget on the original bill indicates that enactment of the bill, according to the Kansas Department of Health and Environment (KDHE), would require some increased monitoring to assess discharge

data to assure that hospitals wishing to be licensed as a general hospital meet the statutory definition. Additionally, application and annual renewal forms would need to be revised to include discharge data information. Any additional work, however, would be accomplished within the existing budget of KDHE.