

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

**To:** The House Committee on Federal and State Affairs

**From:** The Office of Revisor of Statutes

**Date:** 2/12/2026

**Re:** H.B. 2727, As introduced; Providing for the plaintiff to elect to limit recovery in claims brought for violations of the woman's-right-to-know act and making the laws providing for medical malpractice screening inapplicable when such election is made.

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Under current law, any physician who intentionally, knowingly or recklessly fails to provide information under K.S.A. 65-6709 of the woman's-right-to-know act is deemed to be guilty of unprofessional conduct as defined in the Kansas healing arts act.<sup>1</sup> Additionally, the act allows certain individuals to bring a civil action against the physician if information about mifepristone is not provided in accordance with K.S.A. 65-6716.<sup>2</sup> Under current law, when a petition is filed in a district court seeking damages for personal injury arising from the alleged medical malpractice of a healthcare provider, a medical malpractice screening panel must be convened upon either party's request.<sup>3</sup> The screening panel process can take up to 180 days to conclude, and at its conclusion, the panel submits its opinion to the parties and the judge.<sup>4</sup>

H.B. 2727 would insert a new section of law allowing plaintiffs in any action brought under 65-6709 (information required to be given to patients before an abortion) or 65-6716 (notice to patients receiving medication abortion) to elect to limit their recovery to damages of \$5,000, plus the costs of the abortion and reasonable attorney fees. If a plaintiff makes such an election, the provisions of the medical malpractice screening panels would not apply. Subsection (c) would state that nothing in the section shall limit or otherwise affect any action brought under K.S.A.

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<sup>1</sup> K.S.A. 65-6712

<sup>2</sup> K.S.A. 65-6716

<sup>3</sup> K.S.A. 65-4901

<sup>4</sup> K.S.A. 65-4904

65-6716(h) and that the medical malpractice screening panel provisions are inapplicable to claims brought under that provision.

H.B. 2727 would become effective upon publication in the statute book.