



TESTIMONY ON HOUSE BILL 2240

Presented to
Kansas House Committee on Government Efficiency

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Chairwoman Erickson and members of the committee:

Thank you for the opportunity to testify today in support of House Bill 2240.

This bill is a commonsense measure to ensure that major policy changes in Kansas's Medicaid program receive direct legislative approval before they take effect. Right now, state agencies can apply for and implement Medicaid waivers that expand coverage or increase costs—without a single vote from the legislature. HB 2240 puts an end to that unaccountable practice by requiring any such waiver to be debated and approved by the people's elected representatives.

Medicaid is one of the largest expenditures in the Kansas budget, yet waivers and state plan amendments have been used to make massive changes without legislative consent.

A prime example of this is Kansas's Continuous Eligibility Waiver, which Governor Laura Kelly's administration unilaterally implemented in 2022.

This waiver keeps able-bodied adults on Medicaid for a full 12 months, even if their income increases and they no longer qualify.

- Kansas's own Medicaid data related to the unwinding of continuous eligibility during the public health emergency showed that 43.7 percent of enrollees undergoing redeterminations were not approved for renewal.
- Even using conservative estimates, more than 41,000 Medicaid enrollees per month will remain in the program despite no longer qualifying due to this waiver.
- This will cost Kansas taxpayers between \$3.9 million and \$9.6 million per year with the higher figure being the more realistic estimate.

This policy was never debated or approved by the legislature—it was granted through executive action, committing Kansas to millions in additional Medicaid spending without a single vote. HB 2240 ensures this never happens again.

Kansas is not alone in facing costly, bureaucratic Medicaid expansions through waivers. Other states have used waivers to expand Medicaid eligibility beyond federal law, committing taxpayers to unsustainable costs:

- California applied for a waiver to cover undocumented immigrants through its Medicaid program, a move that added billions in new costs.
- New York used a waiver to expand Medicaid managed care programs without oversight, resulting in massive budget overruns.
- Oregon sought a waiver to keep able-bodied adults continuously enrolled in Medicaid for up to five years, regardless of income changes.

Medicaid was designed as a safety net for the truly needy—not a catch-all program that grows at the whim of state bureaucrats. Every time a waiver expands coverage or increases costs, it impacts Kansas taxpayers, Kansas hospitals, and Kansas’s ability to fund other priorities like education and infrastructure.

If an expansion of Medicaid is truly necessary, it should be able to pass through this body—the legislature—not be imposed through executive action. That is all HB 2240 ensures that major changes to the Medicaid program go through the normal legislative process, through which they can be debated, amended, and voted on by the representatives of the people.

Kansas cannot afford to allow unaccountable agencies to continue making billion-dollar decisions without legislative oversight. HB 2240 is a reasonable, necessary step to ensure Medicaid policy is decided by elected lawmakers—not by bureaucrats

I strongly urge the committee to support House Bill 2240 and restore transparency, accountability, and responsible governance over Kansas’s Medicaid program.

Thank you, and I welcome any questions.