

KANSAS OFFICE *of*
REVISOR *of* STATUTES

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

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

MEMORANDUM

To: Senate Committee on Government Efficiency

From: Office of Revisor of Statutes

Date: February 10, 2026

Subject: SB 363 (As introduced)

Senate Bill No. 363 makes several adjustments to public assistance eligibility requirements.

New Section 1 requires the secretary for children and families and the secretary of health and environment to verify eligibility for the food assistance and medical assistance programs by entering into data-matching agreements with state agencies to compare data related to individuals and households applying for food or medical assistance. Each secretary shall receive and review information concerning individuals or households applying for or enrolled in food or medical assistance that may affect eligibility for such assistance on at least a:

- (1) Monthly basis, from the office of vital statistics, including, but limited to, death records;
- (2) quarterly basis, from the department of labor, including, but not limited, changes in employment or wages;
- (3) monthly basis, including, but not limited to, potential changes in residency as identified by out-of-state electronic benefit transfer transactions;
- (4) quarterly basis, from the department of revenue, including, but not limited to, potential changes in income, wages or residency as identified by tax records;
- (5) monthly basis, from the department of corrections, including, but not limited to, incarceration status;
- (6) semi-monthly basis, from the department of labor, including, but not limited to, potential changes in employment, income or assets; and
- (7) monthly basis, from the Kansas lottery and the Kansas racing and gaming commission, to identify individuals and households with lottery or gambling winnings of \$3,000 or greater and, to the extent permissible under federal law, deem this data verified upon receipt, and if the data is not verified upon receipt, the department shall make referrals for further

investigation to identify individuals and households with winnings equal to or greater than the resource limit for elderly or disabled individuals and households as defined in 7 C.F.R. § 273.8(b).

When an enrollee is determined to be noncompliant with requirements or ineligible for assistance, such enrollee shall be provided 30-day notice prior to being disenrolled.

New Section 2 provides that on and after January 1, 2027, the department of health and environment (KDHE) shall submit medical assistance enrollment data to the U.S. centers for medicare and medicaid services on a monthly basis and remove individuals who are enrolled in medical assistance programs in multiple states. KDHE shall submit enrollee address information collected from:

- (1) Mail returned to KDHE by the U.S. Postal Service;
- (2) the national change of address database maintained by the USPS;
- (3) a managed care organization, prepaid inpatient health plan or prepaid ambulatory health plan that has a contract under the state plan if such address information is provided to such organization or plan directly from, or verified by such organization or plan directly with such enrollee; or
- (4) any other data source identified by the KDHE and approved by the secretary of the United States department of health and environment.

New Section 3 prohibits state agencies from providing an optional exemption, geographic waiver or work requirements waiver for any public assistance program unless the legislature expressly consents to and approves of such exemption or waiver.

Section 4 amends K.S.A. 39-709, the statute providing eligibility requirements for TANF, food assistance, childcare subsidy and medical assistance to:

- (1) Adjust the threshold amount of lottery prizes triggering reports from the department of administration to the Kansas department for children and families (DCF) from \$5,000 to \$3,000, aligning such amount with the threshold amount of lottery or gambling winnings reported monthly from the Kansas lottery and the Kansas racing and gaming commission in New Section 1(a)(7);
- (2) prohibit DCF and KDHE from accepting self-attestation of income, residency, age, household composition, caretaker relative status or receipt of other coverage without verification

prior to enrollment, or request authority to waive or decline to periodically check any available income-related data sources to verify eligibility for public assistance programs;

(3) increase the age of able-bodied adults without dependents through the age of 64 and require dependents to be under 14 years of age;

(4) prohibit any exemption from time-limited food assistance for homeless individuals, veterans or individuals who are 24 years of age or younger and who aged out of foster care;

(5) require that redeterminations of an individual's eligibility for medical assistance be conducted on a quarterly basis;

(6) limit, on and after January 1, 2027, retroactive enrollment in medical assistance to two months prior to the month in which the recipient makes an application for assistance; and

(7) require eligibility of an individual for medical assistance be verified against a master death file on a quarterly basis to ensure that deceased individuals are not enrolled. Upon confirmation of the death of an individual, enrollment shall be terminated immediately.

The bill takes effect on July 1, 2026, upon its publication in the statute book.