

February 27, 2026

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

Dear Representative Carpenter:

SUBJECT: Fiscal Note for HB 2741 by House Committee on Health and Human Services

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2741 is respectfully submitted to your committee.

HB 2741 would enact the Kansas Medical Rights of Conscience Act. The bill would allow healthcare institutions or professionals to refuse certain healthcare as referenced in KSA 65-28,139 and amendments thereto, related to surgeries, medication, and other treatments under the Help Not Harm Act, regardless of the patient's age if such procedure or medication is contrary to the established policy of or the moral, ethical, or religious beliefs of such healthcare institution or provider. The bill would prohibit a cause of action against a healthcare institution or professional when asserting a right protected by the Act. The legislation could be used as a defense in any purported action related to or arising out of the exercise of a right protected by the Act. The bill would also make related definitions and outline when a healthcare institution or professional could not be denied or discriminated against.

According to the Office of Judicial Administration, enactment of HB 2741 could increase the number of cases filed in district courts because it would create a civil cause of action for violations. This could result in more time spent by judicial and nonjudicial personnel processing, researching, and hearing these cases. The Office estimates enactment of the bill could result in the collection of docket fees and fines assessed in those cases filed under the bill's provisions, which would be deposited to the State General Fund. The bill would not affect other revenues to the Judicial Branch. However, a total fiscal effect cannot be estimated.

The Kansas Office of the Attorney General reports that the bill would require the agency to create a process to receive and track reports of alleged violations under the Act, which could be handled within existing resources. The Office also states that the legislation is likely to face legal challenges given the subject matter. The scope and length of any litigation cannot be predicted so potential costs of defending the law cannot be determined.

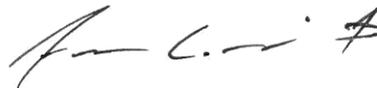
The Kansas Human Rights Commission reports that enactment of HB 2741 could raise awareness that healthcare professionals were able to file complaints of discrimination under the Kansas Act Against Discrimination against their employers with the agency based on a protected class. The agency indicates that any increase in complaint filings would be absorbed within existing

resources. The agency states that the bill does not amend the Kansas Act Against Discrimination and does not appear to add to or subtract from the agency's workload.

The Kansas State Board of Healing Arts reports that enactment of the bill could result in some actionable complaints but anticipates being able to handle the increase within existing resources. The Kansas Board of Pharmacy states that enactment of HB 2741 could result in a fiscal effect, but some of the bill language is unclear so a total fiscal effect cannot be estimated. The Board states there is potential impact to the regulation of pharmacy facilities and personnel under the Kansas Pharmacy Act, and potential legal ramifications of complaints, enforcement, or lawsuits filed against the Board. The Board would need to use its contract attorney, at a rate of \$160 per hour, to review current Board investigation processes and enforcement actions to ensure compliance with HB 2741. While every attempt would be made to avoid additional expenditures, in the event of a violation of HB 2741, there would likely be a substantial fiscal effect for the agency because the healthcare provider or institution would have a private right of action against the Board, including recouping costs and attorney fees. The Board also anticipates a potential increase in complaints, investigations, and lawsuits which could require additional compliance staff. There is no additional revenue to the Pharmacy Fee Fund included in the bill.

The Kansas Department of Health and Environment, University of Kansas Medical Center, Kansas Dental Board, Kansas State Board of Nursing, Behavioral Sciences Regulatory Board, Kansas Board of Examiners in Optometry, and the Emergency Medical Services Board report that the bill will not have a fiscal effect on the agencies. Any fiscal effect associated with HB 2741 is not reflected in *The FY 2027 Governor's Budget Report*.

Sincerely,



Adam C. Proffitt  
Director of the Budget

cc: Jill Simons, Board of Nursing  
Susan Gile, Board of Healing Arts  
Trisha Morrow, Judiciary  
Charity Carlat, Kansas Dental Board  
Callie McAtee, Board of Optometry  
Gail Gottlieb, KU Medical Center  
Amy Penrod, Department of Health & Environment  
Ruth Glover, Human Rights Commission  
Joe House, Emergency Medical Services Board  
Alexandra Blasi, Board of Pharmacy  
David Fye, Behavioral Sciences Regulatory Board  
Matt Bingesser, Office of the Attorney General