

February 20, 2026

The Honorable Cyndi Howerton, Chairperson
House Committee on Child Welfare and Foster Care
300 SW 10th Avenue, Room 152-S
Topeka, Kansas 66612

Dear Representative Howerton:

SUBJECT: Fiscal Note for HB 2742 by House Committee on Child Welfare and Foster Care

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2742 is respectfully submitted to your committee.

HB 2742 would enact the Family Rights in Medical Investigations Act which would require Client Assessment, Referral and Evaluation Services (CARES) medical providers to consider alternative medical explanations and failure could be referred for review. The bill would require medical professionals to notify parents and provide information to them regarding allegations of abuse and neglect.

The bill would require the Department for Children and Families to share information received when an abuse and neglect report involving a medical professional's opinion is received. Parents would be granted the right to obtain an independent second medical opinion from a qualified professional who is not affiliated with the original hospital or child abuse team. The Kansas Department of Health and Environment (KDHE) would be required to cover the costs of such second opinion and recoup those costs from the original medical provider.

If a child abuse review and evaluation exam was ordered, the provider conducting that exam would not be the same individual who initiated the original report. Parents would also be informed within 10 business days of the names and credentials of all medical professionals who contributed to the opinion and their right to obtain copies of any reports provided to KDHE.

According to the KDHE, enactment of HB 2742 would have a fiscal effect on the agency. KDHE estimates that it would increase expenditures for one additional position for salary and fringe benefits by \$89,000 for FY 2027 and by \$92,000 for FY 2028. KDHE reviewed CARE referral outcomes from multiple recent months (November 2025 through January 2026). During that period, an average of approximately 43 cases per month involved a medical provider review or examination capable of generating an opinion. Annualized, this would be approximately 516

cases per year. Cases in which no medical or forensic evaluation occurred were excluded, as they would not produce an opinion subject to independent review. Historical cumulative program data shows a consistent proportion of referrals resulting in medical evaluations, supporting the reliability of this estimate. The bill would establish a new right, and no Kansas utilization history exists, KDHE assumes a moderate request rate of 5.0 percent. This would result in approximately 26 second opinions per year.

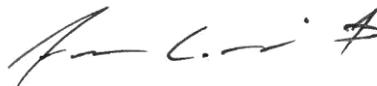
The bill would direct that charges be submitted pursuant to KSA 38-2226a but does not specify a new rate. For estimation purposes, KDHE applied the reimbursement amount currently identified in statute, approximately \$750 per examination. Actual provider charges could vary. The bill would not require that second opinions be performed by CARE-designated providers. As a result, KDHE would have limited control over who generates invoices, increasing the need for administrative review and coordination.

The bill would also require KDHE to recoup payment from the original medical provider. Because repayment compliance rates are unknown, KDHE assumes a 70.0 percent recovery rate. The agency estimates recovering \$13,650 that would offset State General Fund costs for FY 2027 and FY 2028. If participation were to increase as families and legal representatives became more aware of the option, both payment amounts and administrative workload would rise proportionally. Additional staffing could be necessary in future years. Healthcare providers could experience impacts related to repayment obligations.

The Department for Children and Families indicates that enactment of HB 2742 would have no fiscal effect on the agency. The Office of Judicial Administration indicates that any fiscal effect as a result of the enactment HB 2742 would be absorbed within existing resources. The Kansas State Board of Healing Arts indicates that enactment of HB 2742 could result in some actionable complaints that would be absorbed within existing resources. Any fiscal effect associated with HB 2742 is not reflected in *The FY 2027 Governor's Budget Report*.

The Kansas Association of Counties indicates that enactment of HB 2742 could affect counties if there are more cases, particularly Child In Need of Care cases but no fiscal effect was given.

Sincerely,



Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Susan Gile, Board of Healing Arts
Kim Holter, Department for Children & Families
Bruce Chladny, Kansas Association of Counties
Amy Penrod, Department of Health & Environment