

SENATE Substitute for HOUSE BILL No. 2240

AN ACT concerning public assistance; requiring approval by an act of the legislature prior to any state agency seeking or implementing any public assistance program waiver or other authorization from the federal government that expands eligibility for any public assistance program, increases cost to the state or makes certain changes in services for persons with intellectual or developmental disabilities; authorizing approval of such waivers, other authorizations or changes by the legislative coordinating council when the legislature is not in session.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) Except as provided in subsection (b), on and after July 1, 2025, no state agency shall seek or implement any:

(1) Public assistance program waiver or other authorization from the federal government, including, but not limited to, a medicaid state plan, state plan amendment, state demonstration or a waiver pursuant to section 1115 or 1915 of the federal social security act, that would expand eligibility for any public assistance program to any additional individuals or class of individuals or would increase any cost to the state unless the legislature expressly consents to and approves of such waiver or other authorization by an act of the legislature; or

(2) changes to funding structures, day services or targeted case management services for persons with intellectual or developmental disabilities unless the legislature expressly consents to and approves of such change by an act of the legislature.

(b) (1) When the legislature is not in session, a state agency may request that the legislative coordinating council approve a public assistance program waiver or other authorization or a change to funding structures, day services or targeted case management services for persons with intellectual or developmental disabilities.

(2) A state agency shall provide official notification to the legislative coordinating council that such agency is requesting approval of an action that requires legislative approval pursuant to this section. Upon official receipt of such notification, the legislative coordinating council shall meet within 14 calendar days to consider and take action on such request.

(3) Pursuant to K.S.A. 46-1202, and amendments thereto, the legislative coordinating council may take action to approve or refuse a state agency's request or designate a standing committee or special committee to review such state agency's request and make recommendations to the legislative coordinating council based on the committee's review.

(c) For purposes of this section:

(1) "Public assistance program" means any assistance under K.S.A. 39-709, and amendments thereto; and

(2) "state agency" means the same as defined in K.S.A. 75-3701, and amendments thereto.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and was adopted by that body

HOUSE adopted
Conference Committee Report_____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

SENATE adopted
Conference Committee Report_____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.