

HOUSE BILL No. 2307

AN ACT concerning health and healthcare; relating to prenatally and postnatally diagnosed conditions; transferring the power to authorize and oversee certain activities regarding prenatal and postnatal diagnosed conditions awareness programs from the department of health and environment to the Kansas council on developmental disabilities; amending K.S.A. 65-1,259 and repealing the existing section.

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

New Section 1. (a) Authorization and oversight of prenatally and postnatally diagnosed conditions awareness programs are hereby transferred from the department of health and environment to the Kansas council on developmental disabilities. The powers, duties and functions of the department of health and environment related to prenatally and postnatally diagnosed conditions awareness programs as provided in K.S.A. 65-1,259, and amendments thereto, are hereby transferred and imposed upon the Kansas council on developmental disabilities.

(b) Whenever the department of health and environment, the secretary of health and environment, or words of like effect, are referred to or designated by statute, contract or other document, and such reference or designation is in regard to any function, power or duty related to prenatally and postnatally diagnosed conditions awareness programs as provided in K.S.A. 65-1,259, and amendments thereto, such reference or designation shall be deemed to apply to the Kansas council on developmental disabilities.

(c) All rules and regulations, orders and directives of the secretary of health and environment related to prenatally and postnatally diagnosed conditions awareness programs that are in effect pursuant to K.S.A. 65-1,259, and amendments thereto on the effective date of this act shall continue to be effective and shall be deemed to be rules and regulations, orders and directives of the chairperson of the Kansas council on developmental disabilities until amended, revoked or nullified pursuant to law.

Sec. 2. K.S.A. 65-1,259 is hereby amended to read as follows: 65-1,259. (a) ~~The secretary of the department of health and environment~~ *may Kansas council on developmental disabilities shall* authorize and oversee certain activities, including the awarding of grants, contracts or cooperative agreements to eligible entities to:

(1) Collect, synthesize and disseminate current evidence-based information relating to Down syndrome or other prenatally or postnatally diagnosed conditions; and

(2) coordinate the provision of, and access to, new or existing supportive services for women and the spouses of such women who receive a positive diagnosis of Down syndrome or other prenatally or postnatally diagnosed conditions for their child, including, but not limited to:

(A) The establishment of a resource telephone hotline or website accessible to women and the spouses of such women who receive a positive diagnosis of Down syndrome or other prenatally or postnatally diagnosed conditions for their child;

(B) the development of outreach programs to new and expecting parents to provide them with up-to-date information on the range of outcomes for individuals living with the diagnosed condition, including physical, developmental, educational and psychosocial outcomes;

(C) the development of local peer support programs to effectively serve women and the spouses of such women who receive a positive diagnosis of Down syndrome or other prenatally or postnatally diagnosed conditions for their child;

(D) the establishment of a network of local registries of families willing to adopt newborns with Down syndrome or other prenatally or postnatally diagnosed conditions, and links to adoption agencies willing

to place babies with Down syndrome or other prenatally or postnatally diagnosed conditions with families willing to adopt; and

(E) the establishment of awareness and education programs for health care providers who provide, interpret or inform parents of the results of prenatal tests for Down syndrome or other prenatally or postnatally diagnosed conditions to patients.

(b) A grantee under this section shall make the following available to health care providers of parents who receive a prenatal or postnatal diagnosis for their child:

(1) Up-to-date, evidence-based, written information concerning the range of outcomes for individuals living with the diagnosed condition, including physical, developmental, educational and psychosocial outcomes; *and*

(2) contact information regarding support services, including information hotlines and websites specific to Down syndrome or other prenatally or postnatally diagnosed conditions, resource centers or clearinghouses, local peer support groups and other education and support programs.

(c) Information provided under this subsection shall be culturally and linguistically appropriate as needed by women and the spouses of such women who receive a positive diagnosis for Down syndrome or other prenatally or postnatally diagnosed conditions for their child, and approved by the ~~secretary~~ *Kansas council on developmental disabilities*.

(d) In distributing funds under this section, the ~~secretary~~ *Kansas council on developmental disabilities* shall place an emphasis on funding partnerships between health care professional groups and disability advocacy organizations.

(e) On or before January ~~12, 2015~~ *11, 2027*, the ~~secretary~~ *Kansas council on developmental disabilities* shall prepare and submit a report to the governor and the legislature on the grants, contracts and cooperative agreements made under this section and the effectiveness of the programs supported by such grants, contracts and cooperative agreements.

(f) As used in this section:

(1) "Down syndrome" means a chromosomal disorder caused by an error in cell division that results in the presence of an extra whole or partial copy of chromosome 21.

(2) "Eligible entity" means the state, or any political subdivision thereof, or any other entity with appropriate expertise in prenatally and postnatally diagnosed conditions, as determined by the ~~secretary~~ *Kansas council on developmental disabilities*.

(3) "Health care provider" ~~shall have the same meaning~~ *means the same as that term is defined in K.S.A. 40-3401, and amendments thereto.*

(4) "Postnatally diagnosed condition" means any health condition identified during the 12-month period beginning at birth.

(5) "Prenatally diagnosed condition" means any fetal health condition identified by prenatal genetic testing or prenatal screening procedures.

(6) "Prenatal test" means diagnostic or screening tests offered to pregnant women seeking routine prenatal care that are administered on a required or recommended basis by a health care provider based on medical history, family background, ethnic background, previous test results or other risk factors.

~~(7) "Secretary" means the secretary of the department of health and environment.~~

(g) (1) There is hereby established in the state treasury the prenatally and postnatally diagnosed conditions awareness programs fund. All moneys credited to the prenatally and postnatally diagnosed conditions awareness programs fund shall be expended only for prenatally and postnatally diagnosed conditions awareness programs. All expenditures from the prenatally and postnatally diagnosed conditions awareness programs fund shall be made in accordance with

appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chairperson of the Kansas council on developmental disabilities.

(2) On July 1, 2025, the director of accounts and reports shall transfer \$25,000 from the state general fund to the the prenatally and postnatally diagnosed conditions awareness programs fund.

Sec. 3. K.S.A. 65-1,259 is hereby repealed.

Sec. 4. 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 passed that body

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.