

Legislative Approval for Public Assistance and I/DD Programs; Senate Sub. for HB 2240

Senate Sub. for HB 2240 prohibits state agencies, on and after July 1, 2025, from seeking or implementing any public assistance program waiver or other authorization from the federal government that would expand eligibility for any public assistance program or would increase any cost to the State. The bill also prohibits making certain changes to services for persons with intellectual or developmental disabilities (I/DD) without the express consent or approval of either the Legislature or the Legislative Coordinating Council (LCC).

Public Assistance Waivers and I/DD Programs

The bill prohibits state agencies, on or after July 1, 2025, from doing the following without Legislative approval:

- Seeking or implementing, at minimum, a Medicaid state plan, any Medicaid state plan amendment, or any state demonstration or waiver pursuant to Section 1115 or 1915 of the federal Social Security Act, if the public assistance waivers or other authorizations from the federal government would increase any cost to the State; or
- Seek or implement any change to the funding structures, day services, or targeted case management (TCM) services for persons with I/DD.

Legislative Approval

The bill requires any approval or consent for said waiver or other authorization or a change to funding structures, day services, or TCM for persons with I/DD to be an act of the Legislature. Should the Legislature not be in session, the bill allows the LCC to approve or refuse a state agency's request for a waiver or other authorization or a change to funding structures, day services, or TCM for persons with I/DD.

The bill also authorizes the LCC to designate a standing committee or special committee to review an agency's request and make recommendations to the LCC.

The bill establishes a deadline of 14 calendar days from the LCC's receipt of a state agency's official notification for an approval request by which the LCC or its designated committee must meet to consider and take action on said request.

Definitions

The bill defines the following terms for this purpose as follows:

- "Public assistance program" means any assistance included in KSA 39-709 for which federal or state moneys or both are expended and currently includes the following programs:

- Temporary Assistance for Needy Families;
- Supplemental Nutrition Assistance Program;
- Child Care Subsidy Program;
- Medicaid; and
- Children's Health Insurance Program; and
- "State agency" means any state office or officer, department, board, commission, institution, bureau, or any agency, division, or unit within any office, department, board, commission, or other state authority, or any person requesting a state appropriation.