

SESSION OF 2025

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2039

As Amended by Senate Committee on Public
Health and Welfare

Brief*

HB 2039, as amended, would amend statutes relating to home health agencies to clarify the definition of “home health agency” for the purposes of credentialing. The bill would exempt from the definition entities that are not reimbursed by Medicare Part A and only provide services of persons licensed or certified under the Physical Therapy Practice Act and Occupational Therapy Practice Act and persons licensed as speech-language pathologists.

The bill would also make technical and conforming changes.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the House Committee on Health and Human Services at the request of Representative Buehler on behalf of Fox Rehabilitation.

House Committee on Health and Human Services

In the House Committee hearing, **proponent** testimony was provided by representatives of Fox Rehabilitation and the Kansas Hospital Association. The proponents generally

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <https://klrd.gov/>

stated that the requirements of credentialing for home health agencies can pose a significant barrier to physical therapists, occupational therapists, and speech-language pathologists working in residential homes in Kansas. An agency providing these services to a patient who is not home health-service eligible can provide them under Medicare Part B, but are currently still included under Kansas' definition of "home health agency" and are subject to home health licensing and credentialing.

Written-only proponent testimony was provided by a representative of Phoenix Home Care and Hospice.

No other testimony was provided.

Senate Committee on Public Health and Welfare

In the Senate Committee hearing, **proponent** testimony was provided by a representative of Fox Rehabilitation, who stated the bill would clarify the definition of a "home health agency" to exclude entities not reimbursed by Medicare Part A and only provide services licensed under the physical or occupational therapy acts or licensed as a speech-language pathologists. The proponent stated the current definition could subject the agency to home health licensing and require the agency to provide services that meet the home health requirements. As a Medicare Part B provider of outpatient physical, occupational, and speech therapy services in the home, the agency is required to credential its clinicians directly with Medicare. The agency bills for services on behalf of the Medicare-credentialed clinicians, who are subject to oversight by their respective licensing agencies.

Written-only proponent testimony was provided by a representative of Phoenix Home Care and Hospice.

No other testimony was provided.

The Senate Committee amended the bill to change the effective date to publication in the *Kansas Register*.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Department of Health and Environment and the Kansas Department for Aging and Disability Services indicate that enactment of the bill would have no fiscal effect on either agency.

Health; Kansas Credentialing Act; physical therapy; occupational therapy; speech-language pathology; home health agencies; credentialing