

SESSION OF 2025

## **SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2335**

As Amended by Senate Committee on Public  
Health and Welfare

### **Brief\***

HB 2335, as amended, would amend the Health Care Provider Insurance Availability Act to add certain maternity centers to the definition of “health care provider.”

The bill would require a maternity center participating in the Health Care Stabilization Fund (HCSF) (professional liability coverage) to have accreditation by the Commission for the Accreditation of Birth Centers and meet the licensure definition for maternity center (KSA 65-503). [Note: Under this licensure definition, a “maternity center” is a facility that provides delivery services for normal, uncomplicated pregnancies but does not include a medical care facility, as defined by KSA 65-425.]

The bill would also make technical amendments to reorganize provisions listing professionals and facilities subject to the requirement of participation in the HCSF.

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

### **Background**

The bill was introduced by the House Committee on Insurance at the request of Representative Proctor.

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\*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/>

### ***House Committee on Insurance***

In the House Committee hearing, **proponent** testimony was provided by a representative of the now-closed New Birth Company. The proponent indicated health care and hospitals are consolidating to fewer locations, causing communities to have fewer resources to deliver babies. The proponent explained maternity centers are a low-cost alternative for low-risk pregnancies. Additionally, the conferee spoke to the challenges in securing affordable malpractice insurance and indicated the bill would provide vital access to a birth-affirming facility service for KanCare members and Kansas families.

Written-only neutral testimony was provided by a representative of the HCSF Board of Governors, who indicated that current law allows maternity centers organized as professional corporations to be included as defined health care providers. The bill would provide an additional avenue for a maternity center that is not organized as a professional corporation.

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 the now-closed New Birth Company that was substantially similar to the testimony provided in the House Committee hearing.

Written-only proponent testimony was provided by a representative of CABA Consulting, LLC.

Written-only neutral testimony was provided by a representative of the HCSF Board of Governors that was substantially similar to the testimony provided in the House Committee hearing.

No other testimony was provided.

The Senate Committee amended the bill to change the effective date to upon 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 HCSF, Kansas Insurance Department, and Kansas Department of Health and Environment state that enactment of the bill would have no fiscal effect.

Health Care Provider Insurance Availability Act; defined health care providers; professional liability insurance; maternity centers; Health Care Stabilization Fund