

SESSION OF 2024

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2478

As Recommended by House Committee on
Insurance

Brief*

HB 2478 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 Health Care Stabilization Fund.

Background

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

*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 <http://www.kslegislature.org>

House Committee on Insurance

In the House Committee hearing on the bill, **proponent** testimony was provided by Representative Proctor and the Chief Executive Officer and co-founder of the New Birth Company. The proponents indicated health care and hospitals are consolidating to fewer locations, causing communities to have fewer resources to deliver babies. Proponents explained maternity centers are a low-cost alternative for low-risk pregnancies. Additionally, the conferees 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 **proponent** testimony was provided by a broker from HUB International and representatives from the Trust Women Foundation.

Neutral testimony was provided by a representative of the Health Care Stabilization Fund 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 opponent testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget, the HCSF Board of Governors and the Kansas Insurance Department indicate the enactment of the bill would have no fiscal effect.

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