

SENATE BILL No. 300

By Committee on Ways and Means

1-18

1 AN ACT concerning the Kansas medical assistance program; relating to
2 powers, duties and functions of the department of health and
3 environment, Kansas department for aging and disability services and
4 department of administration; requiring prior legislative approval for
5 substantial changes.
6

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

8 Section 1. (a) (1) On the effective date of this section, the department
9 of health and environment and the Kansas department for aging and
10 disability services shall terminate any request to the United States centers
11 for medicare and medicaid services to administer state medicaid services
12 under the Kansas medical assistance program using a capitated managed
13 care delivery system in any manner that is substantially different, **except**
14 **as provided in subsection (e)**, than the manner in which state medicaid
15 services under the Kansas medical assistance program are provided on
16 January 1, ~~2017~~ **2018**, including, but not limited to, imposing any new
17 eligibility requirements or limitations to receive state medicaid services
18 under the Kansas medical assistance program.

19 (2) The department of health and environment and the Kansas
20 department for aging and disability services shall not submit any such
21 request to the United States centers for medicare and medicaid ~~studies~~
22 **services** without express prior authorization by an act or appropriation act
23 of the legislature.

24 (b) Except as provided in subsection (c), the department of health and
25 environment, the Kansas department for aging and disability services and
26 the department of administration shall take no action to enter into any
27 contract for the administration and provision of state medicaid services
28 using a capitated managed care delivery system without express prior
29 authorization by an act or appropriation act of the legislature.

30 (c) The department of health and environment, the Kansas department
31 for aging and disability services and the department of administration shall
32 negotiate for the renewal of contracts in effect on January 1, 2017 **that**
33 **comply with this section, including altering the request for proposal**
34 **identified by the department of administration as bid event 0005464,**
35 **opened on October 27, 2017, and closed on January 5, 2018, limited to**
36 **persons that have submitted a bid in response to bid event 0005464,** for

1 the administration and provision of state medicaid services under the
2 Kansas medical assistance program using a capitated managed care
3 delivery system. Any contract-renewal negotiated and executed under this
4 subsection shall be for a term of ~~one year~~ **three years** commencing on the
5 termination date of ~~such contracts~~ **for the administration and provision of**
6 **state medicaid services under the Kansas medical assistance program**
7 **using a capitated managed care delivery system** in effect on January 1,
8 2017, shall be substantially the same as contracts for such services in
9 effect on January 1, 2017 **2018**, and shall not impose any new eligibility
10 requirements or limitations to receive state medicaid services that are not
11 in effect on January 1, 2017 **2018**.

12 (d) The department of health and environment and the Kansas
13 department for aging and disability services shall submit to the United
14 States centers for medicare and medicaid services a request to extend for
15 for ~~one year~~ **three years** any waiver in effect on January 1, 2017 **2018**,
16 authorizing the state of Kansas to administer state medicaid services under
17 the Kansas medical assistance program using a capitated managed care
18 delivery system **in accordance with this section**.

19 (e) **The department of health and environment may modify the**
20 **manner in which state medicaid services are provided on January 1,**
21 **2018, by implementing:**

22 (1) **Any provision of K.S.A. 2017 Supp. 39-709h or 39-709i, and**
23 **amendments thereto;**

24 (2) **any policy that expands access to behavioral health services or**
25 **services delivered through telehealth technology services, provided that**
26 **the policy does not impose any new eligibility requirements or limitations**
27 **to receive state medicaid services that are not in effect on January 1,**
28 **2018; and**

29 (3) **any other action approved by express prior authorization by an**
30 **act or appropriation act of the legislature.**

31 (f) **This section shall expire on June 30, 2021.**

32 Sec. 2. This act shall take effect and be in force from and after its
33 publication in the Kansas register.