

Kansas 2019 Legislative Session Report

Kansas Step Therapy Reform (SB 93/HB 2120)

[The Kansas Coalition for Treatment Access \(KCTA\)](#) is a patient advocacy coalition with over two dozen members, led by the National MS Society and NAMI Kansas. The KCTA introduced [SB 93](#) and [HB 2120](#), proposing patient protections in step therapy processes for insurance plans regulated by the Kansas Department of Insurance, the state employee plan and municipal plans. Similar protections were [passed for KanCare](#) (Kansas Medicaid) in 2016.

HB 2120 has 33 co-sponsors, with our MS Caucus House Co-Chairs Representative Smith (Burlington) and Assistant Majority Leader, Representative Mason (McPherson) fostering much of that support from their colleagues. Senator Bollier continues to be a champion in the Senate Health and Welfare Committee on SB 93.

[A hearing was held on SB 93](#) in the Senate Public Health and Welfare Committee, but [Chair Sullentrop](#) (R-Wichita) chose not to allow a vote on the bill, which would have moved it forward to the Senate Calendar. However, SB 93 remains “alive” for the 2020 legislative session, and Senator Suellentrop shared that after further fiscal analysis, that the bill will be ready to work. The National MS Society looks forward to working with Chair Sullentrop in this effort during the interim. HB 2120 also remains “alive” for 2020 consideration. We will conduct outreach during the interim and continue advocating for a hearing in the House Health Committee in 2020.

The KCTA remains hopeful that in 2020 Kansas will join the 24 other states (Oklahoma, Georgia, Iowa, Texas and more) that have passed comprehensive step therapy reform.

Farm Bureau/Junk Insurance (HB 2209)

Several versions of “junk insurance” legislation was introduced this session. These plans would allow sub-standard health products to be sold in Kansas. These products would not be required to comply with consumer protections required in ACA plans. These protections include Essential Health Benefits, caps on lifetime

and annual coverage and prescription drugs, limits on out of pocket caps and discriminatory pricing (medical underwriting) and denial of coverage for pre-existing conditions. The Farm Bureau was [backing one such plan](#). The National MS Society worked in coalition with other advocates to oppose this harmful legislation. Our actions included joint lobby days, [conducting press conferences](#) and relaying information to our legislative allies. Our combined efforts helped to successfully stall the bill out in the House Insurance Committee. Despite this, the language was inserted into a shell bill (HB 2209) [during the conference committee process](#). This bill passed both chambers. Even though we called for Governor Kelly to veto this legislation, she allowed the legislation [go into effect without her signature](#).

KanCare Expansion (HB 2066)

This is the seventh year that the National MS Society has advocated for KanCare Expansion. Unfortunately, despite all of our efforts this year ended without progression of legislation that would provide healthcare access to over 130,000 Kansans. Several polls have shown that [a majority of Kansans support KanCare Expansion](#), the most recent showing 82% of voters favoring the policy. Governor Kelly made Expansion [a central plank of her platform](#) during the 2018 election. However, leadership in both the House and the Senate did not allow hearings, and it took a procedural move in the House to bring the bill language up for a [vote by that chamber](#). It passed with a 70-54 vote.

The Senate Public Health and Welfare Committee, Chaired by Senator Sullentrop, still did not allow consideration of the bill. Procedural motions were brought forward to allow for a Senate vote during veto session. Despite having a majority, the higher vote threshold required for [the motion failed by one vote](#). This one vote was a pro-expansion Republican ([Senator Alley](#)) who changed his vote to align with the ongoing opposition of Senate leadership, [Senate President Wagle](#) (Wichita) and [Majority Leader Denning](#) (Overland Park).

Despite this, Expansion efforts continued as a coalition of House Democrats and Republicans [stalled the budget vote](#) in an attempt to have the bill sent back to conference committee, requesting that KanCare Expansion language be added into the bill. This effort ended when the block of moderate Republicans switched their votes and ultimately joined the conservative wing of their party, allowing the

budget to pass without Expansion. While we hold out hope that 2020 looks more promising, there are already signs that [there is a lot yet to be worked out](#). Ongoing communication to your legislators in support of KanCare expansion is encouraged.