

## Substitute for SENATE BILL No. 195

By Committee on Public Health and Welfare

2-1

---

1 AN ACT concerning the Kansas medical assistance program; establishing  
2 a suspended eligibility status for recipients; relating to powers, duties  
3 and functions of the department of health and environment.  
4

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

6 Section 1. (a) (1) The department of health and environment shall  
7 establish a suspended eligibility status for recipients of state medicaid  
8 services under the Kansas medical assistance program and shall classify a  
9 recipient as suspended from eligibility pursuant to this section. For any  
10 recipient who may be classified as suspended from eligibility pursuant to  
11 this section, the department of health and environment shall retain all  
12 records relating to the recipient and shall not terminate the recipient's  
13 eligibility for state medicaid services.

14 (2) Upon determination that a recipient's eligibility status should be  
15 reinstated pursuant to this section, the department of health and  
16 environment shall expedite reinstatement of the recipient's eligibility for  
17 state medicaid services. The department of health and environment shall  
18 not require such a recipient to begin the eligibility application process  
19 anew for state medicaid services.

20 (3) Suspended eligibility status granted pursuant to this section shall  
21 not entitle a recipient to coverage for state medicaid services during the  
22 period of time for which the recipient is deemed to have suspended  
23 eligibility. Nothing in this section shall be construed to prevent the  
24 department of health and environment from granting eligibility for state  
25 medicaid services during any period of time for which a recipient may  
26 receive reimbursement for state medicaid services to the extent otherwise  
27 permitted under state and federal law.

28 (b) A recipient of state medicaid services under the Kansas medical  
29 assistance program shall be granted suspended eligibility status upon:

30 (1) Admission to Larned state hospital, Osawatomie state hospital,  
31 Kansas neurological institute or Parsons state hospital and training center;

32 (2) admission to a hospital, nursing facility or other institution with a  
33 capacity of more than 16 beds that is primarily engaged in providing  
34 diagnosis, treatment or care, including medical attention, nursing care and  
35 related services, of persons with mental diseases; or

36 (3) incarceration in any correctional facility or jail or placement in

1 any juvenile correctional facility.

2 (c) The department of health and environment shall reinstate  
3 medicaid eligibility for any recipient whose eligibility has been suspended  
4 under this section upon the recipient's release or discharge from any  
5 facility described in subsection (b).

6 (d) (1) The secretary of health and environment shall adopt rules and  
7 regulations prior to July 1, 2019, as may be necessary to implement and  
8 administer the provisions of this section.

9 (2) Such rules and regulations shall include, but not be limited to, a  
10 system and process to receive electronic information from the Kansas  
11 department for aging and disability services, the department of corrections  
12 and county sheriffs as may be necessary for the department of health and  
13 environment to determine a state medicaid recipient's eligibility status  
14 pursuant to this section.

15 Sec. 2. This act shall take effect and be in force from and after its  
16 publication in the statute book.