

1 hospital providers through a combination of medicaid access improvement
2 payments and increased medicaid rates on designated diagnostic related
3 groupings, procedures or codes;

4 ~~(2)(B)~~ not more than 20% of assessment revenues shall be disbursed
5 to providers who are persons licensed to practice medicine and surgery or
6 dentistry through increased medicaid rates on designated procedures and
7 codes; and

8 ~~(2)(C)~~ not more than 3.2% of hospital provider assessment revenues
9 shall be used to fund healthcare access improvement programs in
10 undergraduate, graduate or continuing medical education, including the
11 medical student loan act.

12 ~~(2) Any increased medicaid rates implemented in accordance with
13 this subsection after the effective date of the amendments made to this
14 subsection by this act shall not be subsequently reduced. If, during any
15 subsequent fiscal year, revenues from the hospital provider assessment are
16 insufficient to fund such increased rates, the department of health and
17 environment shall fund such increased rates using moneys appropriated to
18 the department of health and environment from the state general fund or in
19 any appropriate special revenue fund or funds during such fiscal year.~~

[stricken material in lines 12 through 33]

20 ~~(b) Assessment revenues generated from the health maintenance
21 organization assessment shall be disbursed as follows:~~

22 ~~(1) Not less than 53% of health maintenance organization assessment
23 revenues shall be disbursed to health maintenance organizations that have
24 a contract with the department through increased medicaid capitation
25 payments;~~

26 ~~(2) not more than 30% of health maintenance organization
27 assessment revenues shall be disbursed to fund activities to increase access
28 to dental care, primary care safety net clinics, increased medicaid rates on
29 designated procedures and codes for providers who are persons licensed to
30 practice dentistry, and home and community-based services;~~

31 ~~(3) not more than 17% of health maintenance organization
32 assessment revenues shall be disbursed to pharmacy providers through
33 increased medicaid rates.~~

(2) The department of health and environment, with approval of the healthcare access improvement panel, shall make adjustments to the disbursement of moneys for medicaid rates in accordance with this subsection on July 1 of each year to cause such adjusted medicaid rates to be paid solely from moneys appropriated from the healthcare access improvement fund. The healthcare access improvement fund shall not be supplemented by appropriations from the state general fund for the purpose of paying increased medicaid rates under this subsection.

34 (c) For the purposes of administering and selecting the disbursements
35 described in subsections (a) and (b) of this section, the healthcare access
36 improvement panel is hereby established. The panel shall consist of the
37 following: Three members appointed by the Kansas hospital association,
38 two members who are persons licensed to practice medicine and surgery
39 appointed by the Kansas medical society, one member appointed by each
40 health maintenance organization that has a medicaid managed care
41 contract with the Kansas department for aging and disability services of
42 health and environment, one member appointed by the community care
43 network of Kansas association for the medically underserved; and one

1 representative of the department of health and environment appointed by
2 the governor. The panel shall meet as soon as possible subsequent to the
3 effective date of this act and shall elect a chairperson from among the
4 members appointed by the Kansas hospital association. A representative of
5 the panel shall be required to make an annual report to the legislature
6 regarding the collection and distribution of all funds received and
7 distributed under this act.

, and such report shall include analysis demonstrating that medicaid rates
adjusted in accordance with subsection (a) are budget neutral to the state
general fund.

8 ~~(d) The healthcare access improvement panel shall submit a report to~~
9 ~~the house of representatives standing committee on appropriations and the~~
10 ~~senate standing committee on ways and means on or before January 10,~~
11 ~~2022, and on or before the first day of each third regular session of the~~
12 ~~legislature thereafter, that includes the expenditures needed to maintain~~
13 ~~increased medicaid rates at the fiscal year 2020 level and a~~
14 ~~recommendation on whether the hospital provider assessment rate should~~
15 ~~be adjusted to address needed expenditures.~~

[stricken material in lines 8 through 15]

16 (e) (1) The department of health and environment shall submit to the
17 United States centers for medicare and medicaid services any approval
18 request necessary to implement the amendments made to this section by
19 this act.

And by redesignating subelements accordingly

20 (2) The department of health and environment shall cause notice of
21 such approval by the United States centers for medicare and medicaid
22 services to be published in the Kansas register.

23 (2) The amendments made to subsections (a), (c) and (d) by this act
24 shall take effect on and after January 1 or July 1 immediately following
25 such publication.

26 Sec. 3. K.S.A. 65-6208 and 65-6218 are hereby repealed.
27 Sec. 4. This act shall take effect and be in force from and after its
28 publication in the Kansas register.