
Session of 2020

SENATE BILL No. 409

By Committee on Ways and Means

2-11

1 AN ACT concerning skilled nursing care facilities; relating to the quality
2 care assessment imposed on such facilities; making such assessment
3 permanent; amending K.S.A. 75-7435 and repealing the existing
4 section.
5

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

7 Section 1. K.S.A. 75-7435 is hereby amended to read as follows: 75-
8 7435. (a) As used in this section unless the context requires otherwise:

9 (1) Words and phrases ~~have the meanings respectively ascribed~~
10 ~~thereto~~ *mean the same as defined* by K.S.A. 39-923, and amendments
11 thereto.

12 (2) "Skilled nursing care facility" means a licensed nursing facility,
13 nursing facility for mental health as defined in K.S.A. 39-923, and
14 amendments thereto, or a hospital long-term care unit licensed by the
15 department of health and environment, providing skilled nursing care, but
16 shall not include the Kansas soldiers' home or the Kansas veterans' home.

17 (3) "Licensed bed" means those beds within a skilled nursing care
18 facility ~~which~~ *that* the facility is licensed to operate.

19 (4) "Agent" means the Kansas department for aging and disability
20 services.

21 (5) "Continuing care retirement facility" means a facility holding a
22 certificate of registration issued by the commissioner of insurance pursuant
23 to K.S.A. 40-2235, and amendments thereto.

24 (b) (1) Except as otherwise provided in this section ~~and in subsection~~
25 ~~(f)~~, there is hereby imposed and the secretary of health and environment
26 shall assess an annual assessment per licensed bed, hereinafter called a
27 quality care assessment, on each skilled nursing care facility. The
28 assessment on all facilities in the aggregate shall be an amount fixed by
29 rules and regulations of the secretary of health and environment, shall not
30 exceed \$4,908 annually per licensed bed, shall be imposed as an amount
31 per licensed bed and shall be imposed uniformly on all skilled nursing care
32 facilities except that the assessment rate for skilled nursing care facilities
33 that are part of a continuing care retirement facility, small skilled nursing
34 care facilities and high medicaid volume skilled nursing care facilities
35 shall not exceed $\frac{1}{6}$ of the actual amount assessed all other skilled nursing
36 care facilities. No rules and regulations of the secretary of health and

1 appropriations and health and human services and the Robert G. (Bob)
2 Bethell joint committee on home and community based services and
3 KanCare oversight concerning the progress to reduce the incidence of
4 antipsychotic drug use in elders with dementia, participation in the nursing
5 facility quality and efficiency outcome incentive factor, participation in the
6 culture change and person-centered care incentive program, annual
7 resident satisfaction ratings for Kansas skilled nursing care facilities and
8 the activities of the panel during the preceding calendar year and any
9 recommendations—~~which~~ *that* the panel may have concerning the
10 administration of and expenditures from the quality care assessment fund.

11 ~~(l) The provisions of this section shall expire on July 1, 2020.~~

(l) The provisions of this section shall expire on July 1, 2030.

12 Sec. 2. K.S.A. 75-7435 is hereby repealed.

13 Sec. 3. This act shall take effect and be in force from and after its
14 publication in the statute book.