

## 2021 Kansas Statutes

65-6218. **Assessment revenues; guidelines for disbursement; supplemental funding prohibited; healthcare access improvement panel; composition, organization and annual report; federal approval of changes.** (a)

(1) Assessment revenues generated from the hospital provider assessments shall be disbursed as follows:

(A) Not less than 80% of assessment revenues shall be disbursed to hospital providers through a combination of medicaid access improvement payments and increased medicaid rates on designated diagnostic related groupings, procedures or codes;

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

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

(2) On July 1 of each year, the department of health and environment, with approval of the healthcare access improvement panel, shall make adjustments to the disbursement of moneys in accordance with this subsection to cause such disbursements 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 making disbursements under this subsection.

(b) For the purposes of administering and selecting the disbursements described in subsections (a) and (b), the healthcare access improvement panel is hereby established. The panel shall consist of the following: Three members appointed by the Kansas hospital association, two members appointed by the Kansas medical society, one member appointed by each health maintenance organization that has a medicaid managed care contract with the department of health and environment, one member appointed by the community care network of Kansas, one member appointed by the president of the senate, one member appointed by the speaker of the house of representatives, one member from the office of the medicaid inspector general appointed by the attorney general and one representative of the department of health and environment appointed by the governor. The panel shall elect a chairperson from among the members appointed by the Kansas hospital association. A representative of the panel shall be required to make an annual report to the legislature regarding the collection and distribution of all funds received and distributed under this act, and such report shall include analysis demonstrating that disbursements made in accordance with subsection (a) are budget neutral to the state general fund.

(c) (1) The department of health and environment shall submit to the United States centers for medicare and medicaid services any approval request necessary to implement the amendments made to this section by this act. If the department has submitted such a request pursuant to section 80(l) of chapter 68 of the 2019 Session Laws of Kansas, then the department may continue such request, or modify such request to conform to the amendments made to subsections (a) and (b) by this act, to fulfill the requirements of this paragraph.

(2) The secretary of health and environment shall certify to the secretary of state the receipt of such approval and cause notice of such approval to be published in the Kansas register.

(3) The amendments made to subsections (a) and (b) by this act shall take effect on and after January 1 or July 1 immediately following such publication of such approval.

**History:** L. 2004, ch. 89, § 13; L. 2004, ch. 141, § 4; L. 2014, ch. 115, § 276; L. 2020, ch. 7, § 2;

April 9.