

MINUTES OF THE SENATE FINANCIAL INSTITUTIONS AND INSURANCE COMMITTEE

The meeting was called to order by Chairperson Jeff Longbine at 9:30 am on Wednesday, May 06, 2015, 546-S of the Capitol.

All members were present

Committee staff present:

Ellen Martinez, Kansas Legislative Committee Assistant
Melissa Calderwood-Renick, Legislative Research Department
Whitney Howard, Legislative Research Department
Eileen Ma, Office of Revisor of Statutes

Conferees appearing before the Committee:

Clark Shultz, Kansas Insurance Department

Others in attendance:

[See Attached List](#)

Senator Longbine made a motion to approve Committee minutes on 2/24, 3/4, 3/10, 3/11, 3/12, 3/16, 3/17, and 3/24, seconded by Senator Bowers. Motion carried.

Hearing and possible action on: SB303 — Clarifying mandated coverage for autism spectrum disorder.

Senator Longbine opened the hearing on **SB 303**. Eileen Ma, staff revisor, gave a brief overview of the bill.

Clark Shultz, Director of Governmental Affairs, Kansas Insurance Department, stated the Department had no formal position on the bill, but would provide informational remarks on the subject of the bill. He stated 2014 **HB 2744** mandates large group employer health insurance policies, as defined by state law as at least 51 employees, must provide coverage for the treatment of autism as of January 1, 2015. The law mandates any grandfathered individual or group insurance policy must provide coverage for the treatment of autism as of January 1, 2016. The federal definition for small employer in the ACA will change from the current 50 or fewer employees to 100 or fewer employees. Although the new federal definition does not change the state autism mandate of 51 employees and above, groups with 1 to 50 employees would be required to receive the same autism coverage. If no changes are made to current state law, Kansas would incur a liability since the language does not conform to federal law.

The revisor distributed a balloon amendment requested by the Kansas Insurance Department, which would update the definitions of small employer and large employer, and would have an effective date of January 1, 2016. ([Attachment 1](#))

After questions and comments, Mr. Shultz stated he would provide the committee with his written testimony. Written testimony was provided to Ellen Martinez, committee assistant, on May 7, 2015. ([Attachment 2](#))

CONTINUATION SHEET

MINUTES of the Committee on Financial Institutions and Insurance at 9:30 am on Wednesday, May 06, 2015, 546-S of the Capitol.

Senator Denning was recognized to address the bill. He stated the stakeholders, including representatives of Autism Speaks and Blue Cross and Blue Shield of Kansas City, agreed to an amendment on the bill. The revisor distributed the amendment, which would delete reference to an exemption contained in the bill from autism spectrum disorder coverage requirements for qualified health plans, modify a reference to grandfathered individual or group health insurance policies, and change the definitions of large employer and small employer. ([Attachment 3](#))

Senator Longbine called for final action on **SB 303**.

Senator Denning moved, Senator Olson seconded, to amend **SB 303** as presented in the Denning balloon amendment. Motion carried.

Committee discussion followed. Senators Kelly and Hawk requested information on the number of children with ASD who could be impacted by this definition change and any associated fiscal note associated with maintaining coverage for those children.

After further discussion, Senator Denning offered to add language in the balloon regarding an effective date of January 1, 2016. The second, Senator Olson, agreed with the request. On the Denning amendment, motion carried.

Senator Denning moved, Senator Kelly seconded, to recommend **SB 303** as amended favorably for passage. Motion carried.

There being no further business, Senator Longbine adjourned the meeting at 10:02 am.