

## SENATE BILL No. 425

By Committee on Ways and Means

1-23

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9 AN ACT concerning hospitals and ambulatory surgical centers; relating  
10 to disclosure of prices.

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

13 Section 1. (a) Within 60 days from the effective date of this act, and  
14 each twelve months thereafter, the Kansas health policy authority shall  
15 compile a list of 25 common nonemergent services performed during  
16 inpatient hospital stays and a list of 25 common nonemergent outpatient  
17 surgical and diagnostic procedures performed.

18 (b) The executive director of the health policy authority shall provide  
19 the lists to the secretary of health and environment who shall obtain the  
20 current price for the items on the two lists from every hospital and am-  
21 bulatory surgical center licensed under article 4 of chapter 65 of the  
22 Kansas Statutes Annotated. Upon receipt of the pricing lists from the  
23 hospitals and ambulatory surgical centers, the department of health and  
24 environment shall compile the lists into a brochure of comparative prices  
25 or regional brochures of comparative prices, to be made available to the  
26 public upon request, and shall post such information for public access on  
27 the department's website. Such data shall be set forth in a manner that  
28 promotes charge comparison among hospitals and ambulatory surgical  
29 centers.

30 (c) The department shall provide for the yearly updating of the price  
31 information in the brochure.

32 Sec. 2. (a) Any hospital or ambulatory surgical center licensed under  
33 article 4 of chapter 65 of the Kansas Statutes Annotated shall keep a copy  
34 of the price lists requested by the secretary of health and environment  
35 and shall publish such pricing lists for access by any person who seeks  
36 such information. The price list may include a statement that actual  
37 charges may vary depending on individual need and other factors.

38 (b) Each hospital and ambulatory surgical center licensed under ar-  
39 ticle 4 of chapter 65 of the Kansas Statutes Annotated shall post in a clear  
40 and conspicuous manner in its admissions office, business office and  
41 emergency department a notice that the hospital or ambulatory surgical  
42 center's pricing list is available to the public in written form upon request  
43 and that such information may also be found on the department of health

1 and environment's website.

2 (c) Each hospital and ambulatory surgical center licensed under ar-  
3 ticle 4 of chapter 65 of the Kansas Statutes Annotated shall post the per  
4 diem room price and any ancillary fees for the room in the admissions  
5 office, business office, emergency room and on the back of the entry door  
6 of each patient room.

7 Sec. 3. (a) Any hospital or ambulatory surgical center licensed under  
8 article 4 of chapter 65 of the Kansas Statutes Annotated which fails to  
9 provide the requested information to the secretary of health and envi-  
10 ronment pursuant to section 1, and amendments thereto, or to a person  
11 upon request pursuant to section 2, and amendments thereto, or fails to  
12 post the required notices pursuant to section 2, and amendments thereto,  
13 shall be in violation of the provisions of this act. The secretary of health  
14 and environment may impose a civil penalty of \$1,000 per day for each  
15 violation of this act. In the case of a continuing violation, every day such  
16 violation continues shall for the purpose of this act be deemed a separate  
17 violation and such penalty shall accrue, not to exceed \$10,000 per  
18 violation.

19 (b) Orders of the secretary under this section, and hearings thereon,  
20 shall be subject to the provisions of the Kansas administrative procedure  
21 act. Any action of the secretary pursuant to this section is subject to review  
22 in accordance with the act for judicial review and civil enforcement of  
23 agency actions.

24 Sec. 4. The secretary of health and environment shall adopt rules  
25 and regulations to implement the provisions of this act.

26 Sec. 5. This act shall take effect and be in force from and after its  
27 publication in the statute book.