

HOUSE BILL No. 2950

By Committee on Appropriations

3-5

9 AN ACT concerning the department of health and environment; relating
10 to assistance for certain expenses for eosinophilic disorders.

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

13 Section 1. (a) The secretary of health and environment shall provide,
14 within the limits of appropriations available therefor, the special dietary
15 formula for eosinophilic esophagitis, eosinophilic gastritis, eosinophilic
16 enteritis and eosinophilic colitis for a child through age 21, for as long as
17 medically indicated, when the product is not available through other state
18 agencies and when the child's conditions are diagnosed by an allergist,
19 gastroenterologist or pediatrician. Where the applicable income of the
20 person or persons who have legal responsibility for the diagnosed child
21 meets medicaid eligibility, such child's needs shall be covered under the
22 medicaid state plan. Where the applicable income of the person or per-
23 sons who have legal responsibility for the diagnosed child is not is not
24 medicaid eligible, but is below 300% of the federal poverty level estab-
25 lished under the most recent poverty guidelines issued by the United
26 States department of health and human services, the department of health
27 and environment shall provide reimbursement of between 50% to 100%
28 of the product cost in accordance with rules and regulations adopted by
29 the secretary of health and environment. Where the applicable income
30 of the person or persons who have legal responsibility for the diagnosed
31 child exceeds 300% of the federal poverty level established under the
32 most recent poverty guidelines issued by the United States department
33 of health and human services, the department of health and environment
34 shall provide reimbursement of an amount not to exceed 50% of the
35 product cost in accordance with rules and regulations adopted by the
36 secretary of health and environment.

37 (b) The secretary of health and environment shall provide state as-
38 sistance to an applicant after it has been shown that the applicant has
39 exhausted all benefits from private third-party payers, medicare, medicaid
40 and other government assistance programs, and after consideration of the
41 applicant's income and assets, and to the extent that the weekly formula
42 cost exceeds the equivalent of weekly food costs determined under the
43 moderate cost plan released from the United States department of

1 agriculture.

2 (c) The department of health and environment shall continue to re-
3 ceive orders for special dietary formulas, purchase such products and shall
4 deliver the products to an address provided for the diagnosed child. The
5 department of health and environment shall bill the person or persons
6 who have legal responsibility for the diagnosed child for a pro-rata share
7 of the total costs.

8 Sec. 2. This act shall take effect and be in force from and after its
9 publication in the statute book.