

SESSION OF 2009

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2366**

As Recommended by House Committee on  
Aging and Long Term Care

**Brief\***

HB 2366, as recommended by the House Committee on Aging and Long Term Care, would amend current law concerning home health services. The bill would exempt Program for All-Inclusive Care for the Elderly (PACE) programs which are federally certified to participate in the Medicare or Medicaid Program and which only provide services to PACE participants from the provisions of the home health agency licensing act.

**Background**

The bill was introduced by the House Committee on Federal and State Affairs. Proponents of the bill included the Director of the Bureau of Child Care and Health Facilities from the Kansas Department of Health and Environment and the Director of the Nursing Facility and PACE Division from the Kansas Department on Aging. Written testimony was provided by a representative of Via Christi HOPE in Wichita. The proponents stated that federal law does not require a PACE program to be licensed as a home health agency and is not necessary to assure quality of care or services since the PACE provider must already meet the Medicaid and Medicare certification requirements, which includes a review of the provision of home health care. As a result, the licensing requirement as a home health agency is duplicative and adds unnecessary costs to the programs.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

There were no opponents to the bill.

The fiscal note prepared by the Division of the Budget states the Kansas Department on Aging indicated the bill would have no fiscal effect on agency operations. The Kansas Department of Health and Environment indicated that receipts to the State General Fund for home health agency licensing fees would decrease by less than \$500 since the two PACE programs would no longer be required to obtain a home health agency license. The fiscal effect associated with HB 2366 is not included in *The FY 2010 Governor's Budget Report*.