

Journal of the Senate

TWENTY-FOURTH DAY

SENATE CHAMBER, TOPEKA, KANSAS
Monday, February 17, 2025, 2:30 p.m.

The Senate was called to order by Vice President Tim Shallenburger.
The roll was called with 36 senators present.
Senators J. R. Claeys, Joe Claeys, Masterson and Schmidt were excused.
Vice President Shallenburger introduced guest chaplain, Doug Henkle, who delivered the following invocation:

Jesus, Prince of Peace, we come to You today, at the beginning of a very full week. There is much to be accomplished in the next few days, much information to be digested and acted upon as the work of the committees is presented to the entire body for action. Lord, I ask that You give every senator crystal clear insight and understanding into every bill debated. Cause the issues to be sharp and ordered in their minds. Cause each senator to argue strongly held, often differing, positions in a diplomatic and honorable way to the best of their ability, striving for a mutually satisfactory resolution.

Jesus, in giving us peace, You didn't mean easy. You never promised easy. You only promised help. In fact, You told us to expect tribulation and trials. But You also said that, if we called on You, You would give us the peace of God, which surpasses all comprehension. And so right now we call on You. Please give us Your peace. Fill the Kansas Senate today and throughout the week with Your peace, Your wisdom and order as work on behalf of all Kansans is conducted.

I pray for President Masterson, Vice-President Shallenburger, Majority Leader Blasi and Minority Leader Sykes. Bless them as they lead this chamber to a beneficial conclusion this week. In Jesus' Name, Amen.

The Pledge of Allegiance was led by Vice President Shallenburger.

INTRODUCTION OF BILLS AND CONCURRENT RESOLUTIONS

The following bills were introduced and read by title:

SB 271, AN ACT concerning the state children's health insurance program; relating to eligibility; updating income requirements therefor; amending K.S.A. 38-2001 and repealing the existing section, by Committee on Ways and Means.

INTRODUCTION OF SENATE RESOLUTIONS

SR 1709, A RESOLUTION commending Senator Jerry Moran for his unwavering support of Kansas farmers, by Senator Sykes.

MESSAGES FROM THE GOVERNOR

The following appointments made by the Governor and submitted to the Senate for confirmation were introduced and their appointment letters read:

Thomas P. Browne, Jr., Chief Hearing Officer, Board of Tax Appeals (submitted February 10, 2025)

Kate Gleeson, Kansas Delegate, Central Intersate Low-Level Radioactive Waste Commission (submitted February 10, 2025)

Don Hall, Jr., KU Hospital Authority (submitted February 10, 2025)

Maureen Mahoney, KU Hospital Authority (submitted February 10, 2025)

Kristen Wheeler, Member (Licensed Attorney), State Board of Tax Appeals (February 10, 2025)

MESSAGES FROM STATE OFFICERS

The following appointment made by the Attorney General and submitted to the Senate for confirmation was introduced and the appointment letter read:

Steven D. Anderson, Inspector General (submitted December 6, 2024)

MESSAGE FROM THE HOUSE

Announcing passage of **HB 2040, HB 2046, HB 2061, HB 2109, HB 2120.**

Announcing passage of **HB 2018, HB 2068, HB 2069, HB 2070, HB 2106, HB 2206.**

INTRODUCTION OF HOUSE BILLS AND CONCURRENT RESOLUTIONS

HB 2018, HB 2040, HB 2046, HB 2061, HB 2068, HB 2069, HB 2070, HB 2106, HB 2109, HB 2120, HB 2206 were thereupon introduced and read by title.

CHANGE OF REFERENCE

An objection having been made to **SB 128, SB 156, SB 186** appearing on the Consent Calendar, the Vice President directed the bills be removed and placed on the calendar under the heading of General Orders.

REPORTS OF STANDING COMMITTEES

Committee on **Assessment and Taxation** recommends **SB 69** be amended on page 1, in line 36, after "(c)" by inserting "Except as provided in subsection (h),";

On page 2, in line 21, after "(e)" by inserting "(1) Commencing on January 1, 2026, the rural opportunity zone program shall include two additional benefit options: (A) Down payment assistance; and (B) child care reimbursement. Any county that meets the definition of a rural opportunity zone pursuant to K.S.A. 74-50,222, and amendments thereto, may participate in the program benefits provided in this subsection by authorizing such participation by the county commission of such county through a duly enacted written resolution. Such county shall provide a certified copy of such resolution to the secretary of commerce on or before January 1, 2026, for calendar year 2026, or on or before January 1 for each calendar year thereafter, in which a county chooses to participate in one or both of the benefits. Such resolution shall be irrevocable and shall obligate the county to participate in the child care reimbursement provided by this subsection for a period of five years if the county participates in such benefit. Such

resolution shall specify the maximum amount of down payment assistance or child care reimbursement for each resident individual to be paid as provided in paragraph (2) or (3), except that the maximum amount of each such benefit shall not exceed \$15,000.

(2) If a county submits a resolution to participate in the down payment assistance benefit as provided in paragraph (1), subject to subsection (d), the state of Kansas and such county shall agree to contribute to the down payment, in equal shares, an amount of up to 3% of the purchase price for the purchase of a residence within such county by a resident individual who qualifies under subsection (f) and is a first-time homebuyer, except that the maximum amount of such down payment assistance shall not exceed \$15,000. The state of Kansas is not obligated to pay a portion of the down payment of any resident individual who qualifies pursuant to subsection (f) prior to the county submitting a resolution to the secretary pursuant to subsection (e). Each such county shall certify to the secretary that such county has made the payment required by this paragraph.

(3) If a county submits a resolution to participate in the child care reimbursement benefit as provided in paragraph (1), subject to subsection (d), the state of Kansas and such county shall agree to pay in equal shares reimbursement of child care expenses paid for a dependent child or children during the year by a resident individual who qualifies under the provisions of subsection (f), except that the maximum amount of such reimbursement shall not exceed \$15,000 over a five-year period, or \$3,000 per year. The state of Kansas is not obligated to pay a portion of the reimbursement of any resident individual who qualifies pursuant to subsection (f) prior to the county submitting a resolution to the secretary pursuant to subsection (e). Each such county shall certify to the secretary that such county has made the payment required by this paragraph.

(f) Except as provided in subsection (h), a resident individual shall be entitled to down payment assistance or child care reimbursement under the provisions of this section if such resident individual establishes domicile in a county designated as a rural opportunity zone that participates in the program as provided in subsection (e) on and after the date that such county commenced such participation and prior to July 1, 2031. Such resident individual may enroll in this program in a form and manner prescribed by the secretary. Subject to subsection (d), once enrolled, such resident individual enrolled in the child care reimbursement benefit shall be entitled to full participation in the program for five years, except that if the resident individual relocates outside the rural opportunity zone for which the resident individual first qualified, such resident individual forfeits such individual's eligibility to participate, and obligations under this section of the state and the county terminate. No resident individual shall enroll and be eligible to participate in this program after June 30, 2031.

(g) The county's share of any benefit pursuant to this section may be paid by the county, the employer of the individual, any municipality or political subdivision within the county or any other organization, business, group or individual, or any combination thereof, if so authorized by the county.

(h) A county may participate in one, two or all three of the program benefits pursuant to subsections (a) and (e), but an eligible resident individual may only receive benefits pursuant to one such program benefits offered by the county.

(i)";

Also on page 2, in line 34, after the first "(1)" by inserting "(A)"; in line 38, by

striking "(2)" and inserting "(B)"; in line 42, after "claimed" by inserting "; or

(2) (A) establishes domicile in a rural opportunity zone on or after July 1, 2025, and prior to January 1, 2031, and was domiciled in this state in a county that is not a rural opportunity zone for three or more years immediately prior to establishing their domicile in a rural opportunity zone in this state; and

(B) was domiciled in a rural opportunity zone during the entire taxable year for which such credit is claimed";

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "adding down payment assistance and child care reimbursement as program benefit options; expanding eligibility for the income tax credit;"; and the bill be passed as amended.

Committee on **Commerce** recommends **SB 166** be amended on page 1, in line 7, by striking "5" and inserting "4"; in line 19, by striking "5" and inserting "4";

On page 3, by striking all in lines 13 through 43;

On page 4, by striking all in lines 1 through 35;

And by renumbering sections accordingly;

On page 1, in the title, in line 3, by striking all after "considerations"; in line 4, by striking all before the period; and the bill be passed as amended.

Also, **SB 227** be amended on page 1, in line 30, after "city" by inserting ", township or unincorporated area";

On page 3, following line 36, by inserting:

"(g) The amendments made to this section by this act related to tax credit amounts shall apply to qualified rehabilitation plans placed into service on or after July 1, 2025."; And the bill be passed as amended.

Committee on **Education** recommends **SB 44**, **SB 49** be passed.

Also, **SB 45** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 45," as follows:

"Substitute for SENATE BILL NO. 45

By Committee on Education

"AN ACT concerning education; relating to graduation rate determinations; requiring the state board of education to calculate graduation rates for purposes of accreditation using an alternative calculation for all school districts; amending K.S.A. 2024 Supp. 72-3713 and repealing the existing section."; and the substitute bill be passed.

SB 48 be amended on page 1, in line 16, after "Beginning" by inserting "on"; in line 19, by striking "evidenced"; by striking all in lines 20 and 21; in line 22, by striking all before "pursuant";

On page 2, in line 7, after "with" by inserting "the building needs assessment requirement provided in K.S.A. 72-1163, and amendment thereto, at-risk requirements provided in K.S.A. 72-5151 through 72-5154, and amendments thereto, and"; also in line 7, by striking "federal and"; in line 9, by striking "federal and";

On page 3, in line 3, by striking all after the period; by striking all in lines 4 through 10; in line 11, by striking all before "Nothing";

On page 1, in the title, in line 3, by striking "federal and"; and the bill be passed as amended.

SB 75 be amended on page 1, in line 14, by striking all before the colon and inserting "in an amount equal to the expenditures directly attributable to the tuition and related

costs, including the cost of books, materials and equipment, required for attendance at a private school, except that the tax credit shall not exceed";

On page 2, by striking all in lines 19 through 28;

And by redesignating subsections, paragraphs, subparagraphs and clauses accordingly; and the bill be passed as amended.

SB 76 be amended on page 1, in line 24, by striking all after "district"; in line 25, by striking "institution"; in line 26, by striking "or student"; in line 28, by striking "or student"; in line 29, by striking "or student's"; in line 30, by striking "or student's"; in line 32, by striking "or student's";

On page 2, in line 16, by striking "unemancipated"; also in line 16, by striking all after "individual"; in line 17, by striking "age";

And the bill be passed as amended.

SB 78 be amended on page 2, in line 4, by striking the second "and"; in line 6, after "thereto" by inserting ";

(4) not-for-profit institution of postsecondary education with its main campus or principal place of operation in Kansas, is operated independently and not controlled or administered by any state agency or subdivision of the state, maintains open enrollment and is accredited by a nationally recognized accrediting agency for higher education in the United States; and

(5) community college as defined in K.S.A. 74-3201b, and amendments thereto";

and the bill be passed as amended.

SB 87 be amended on page 4, in line 20, by striking "\$10,000,000" and inserting "\$15,000,000"; in line 21, by striking "2024" and inserting "2025"; in line 28, by striking "\$20,000,000" and inserting "\$25,000,000";

On page 1, in the title, in line 2, by striking "eliminating"; by striking all in line 3; in line 4, by striking all before "increasing"; and the bill be passed as amended.

Committee on **Federal and State Affairs** recommends **SB 260** be amended on page 6, in line 4, after "organization" by inserting "and:

(A)";

Also on page 6, in line 7, after "Downs" by inserting " and

(B) such applicant shall not operate historical horse race machines";

Also on page 6, following line 22, by inserting:

"Sec. 3. K.S.A. 74-8815 is hereby amended to read as follows: 74-8815. (a) Any person, partnership, corporation or association, or the state of Kansas or any political subdivision thereof, may apply to the commission for a facility owner license to construct or own, or both, a racetrack facility ~~which that~~ includes a racetrack and other areas designed for horse racing or greyhound racing, or both.

(b) Any person, partnership, corporation or association may apply to the commission for a facility manager license to manage a racetrack facility.

(c) A facility owner license or a facility manager license shall be issued for a period established by the commission but not to exceed 25 years. The application for a facility owner license shall be accompanied by a nonrefundable fee of \$5,000. An application for a facility manager license shall be accompanied by a nonrefundable fee of \$5,000. If the application fee is insufficient to pay the reasonable expenses of processing the application and investigating the applicant's qualifications for licensure, the commission shall require the applicant to pay to the commission, at such times and in such form as required by the commission, any additional amounts necessary to pay such expenses.

No license shall be issued to an applicant until the applicant has paid such additional amounts in full, and such amounts shall not be refundable except to the extent that they exceed the actual expenses of processing the application and investigating the applicant's qualifications for licensure.

(d) If an applicant for a facility owner license is proposing to construct a racetrack facility, such applicant, at the time of submitting the application, shall deposit with the commission, in such form as prescribed by rules and regulations of the commission, the sum of: (1) \$500,000, if the number of racing days applied for by organization licensee applicants proposing to race at the facility is 150 days or more in a racing season; (2) \$250,000, if such number of racing days applied for is less than 150 days; or (3) a lesser sum established by the commission, if the applicant is the state or a political subdivision of the state. Only one such deposit shall be required for a dual racetrack facility. The executive director shall remit any deposit received pursuant to this subsection to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the racing applicant deposit fund created by K.S.A. 74-8828, and amendments thereto. If the application is denied by the commission, the deposit, and any interest accrued thereon, shall be refunded to the applicant. If the license is granted by the commission in accordance with the terms of the application or other terms satisfactory to the applicant, the deposit, and any interest accrued thereon, shall be refunded to the licensee upon completion of the racetrack facility in accordance with the terms of the license. If the licensee fails to complete the racetrack facility in accordance with the terms of the license, the deposit, and any interest accrued thereon, shall be forfeited by the applicant.

(e) A facility owner license shall be granted only to an applicant that already owns an existing racetrack facility or has submitted with its application detailed plans for the construction of such facility, including the means and source of financing such construction and operation sufficient to convince the commission that such plans are feasible. A facility manager license shall be granted only to an applicant that has a facility management contract with an organization licensed pursuant to K.S.A. 74-8813, and amendments thereto.

(f) An applicant for a facility owner license or facility manager license, or both, shall not be granted a license if there is substantial evidence that the applicant for the license, or any officer or director, stockholder, member or owner of or other person having a financial interest in the applicant:

(1) Has been suspended or ordered to cease operation of a parimutuel racing facility in another jurisdiction by the appropriate authorities in that jurisdiction, has been ordered to cease association or affiliation with such a racing facility or has been banned from such a racing facility;

(2) has been convicted by a court of any state or of the United States of any criminal act involving fixing or manipulation of parimutuel races, violation of any law involving gambling or controlled substances or drug violations involving horses or greyhounds, or has been adjudicated in the last five years in any such court of committing as a juvenile an act which, if committed by an adult, would constitute such a criminal act, or if any employee or agent assisting the applicant in activities relating to ownership or management of a racetrack facility or to the conduct of races has been so convicted or adjudicated;

(3) has been convicted by a court of any state or of the United States of any felony involving dishonesty, fraud, theft, counterfeiting, alcohol violations or embezzlement, or has been adjudicated in the last five years in any such court of committing as a juvenile an act which, if committed by an adult, would constitute such a felony, or if any employee or agent assisting the applicant in activities relating to ownership or management of a racetrack facility or to the conduct of races has been so convicted or adjudicated;

(4) has not demonstrated financial responsibility sufficient to meet the obligations being undertaken pursuant to its contract with the organization licensee;

(5) is not in fact the person or entity authorized to or engaged in the licensed activity;

(6) is or becomes subject to a contract or option to purchase under which 10% or more of the ownership or other financial interest or membership interest are subject to purchase or transfer, unless the contract or option has been disclosed to the commission and the commission has approved the sale or transfer during the license period;

(7) has made a statement of a material fact in the application or otherwise in response to official inquiry by the commission knowing such statement to be false; or

(8) has failed to meet any monetary or tax obligation to the federal government or to any state or local government, whether or not relating to the conduct or operation of a race meet held in this state or any other jurisdiction.

(g) No person or entity shall be qualified to hold a facility manager license if such person or entity, or any director, officer, employee or agent thereof, is addicted to, and a user of, alcohol or a controlled substance.

(h) If the applicant for a facility owner license or facility manager license is a horsemen's association, such applicant shall not operate historical horse race machines at such racetrack facility.

(i) All facility owner licenses and facility manager licenses shall be reviewed annually by the commission to determine if the licensee is complying with the provisions of this act and rules and regulations of the commission and following such proposed plans and operating procedures as were approved by the commission. The commission may review a facility owner license or facility manager license more often than annually upon its own initiative or upon the request of any interested party. The commission shall require each facility owner licensee and each facility manager licensee to file annually with the commission a certified financial audit of the licensee by an independent certified public accountant, which audit shall be open to inspection by the public, and may require any such licensee to provide any other information necessary for the commission to conduct the annual or periodic review.

(j) Subject to the provisions of subsection (k), the commission, in accordance with the Kansas administrative procedure act, may suspend or revoke a facility owner or facility manager license or may impose a civil fine not exceeding \$10,000 per failure or violation, or may both suspend such license and impose such fine, if the commission finds probable cause to believe that:

(1) In the case of a facility owner licensee, the licensee has failed to follow one or more provisions of the licensee's plans for the financing, construction or operation of a racetrack facility as submitted to and approved by the commission; or

(2) in the case of either a facility owner licensee or facility manager licensee, the licensee has violated any of the terms and conditions of licensure provided by this

section or any other provision of this act or any rule and regulation of the commission.

~~(k)~~(k) Prior to suspension or revocation of a license pursuant to subsection ~~(j)~~(j), the commission shall give written notice of the reason therefor to the licensee and all other interested parties. The licensee shall have 30 days from receipt of the notice to cure the alleged failure or violation, if it can be cured. If the commission finds that the failure or violation has not been cured upon expiration of the 30 days or upon a later deadline granted by the commission, or if the alleged violation is of such a nature that it cannot be cured, the commission may proceed to suspend or revoke the licensee's license pursuant to subsection ~~(j)~~(j). Nothing in this subsection shall be construed to preclude the commission from imposing a fine pursuant to subsection ~~(j)~~(j) even if the violation is cured within 30 days or such other period as provided by the commission.

~~(l)~~(l) If an applicant for a facility owner license proposes to construct a racetrack facility and the commission determines that such license should be issued to the applicant, the commission shall issue to the applicant a facility owner license conditioned on the submission by the licensee to the commission, within a period of time prescribed by the commission, of a commitment for financing the construction of the racetrack facility by a financial institution or other source, subject to approval by the commission. If such commitment is not submitted within the period of time originally prescribed by the commission or such additional time as authorized by the commission, the license shall expire at the end of such period.

~~(m)~~(m) If a facility owner licensee's license authorizes the construction of a dual racetrack facility, such license shall be conditioned on the completion of such facility within a time specified by the commission. If, within the time specified by the commission, the licensee has not constructed a dual racetrack facility in accordance with the plans submitted to the commission pursuant to subsection (e), the commission, in accordance with the Kansas administrative procedure act, shall:

(1) Impose upon the licensee a civil fine equal to 5% of the total parimutuel pools for all races held at the licensee's facility on and after the date that racing with parimutuel wagering is first conducted at such facility and until the date that construction of the dual racetrack facility is completed and horse racing has begun; and

(2) revoke the licensee's license unless the licensee demonstrates reasonable cause for the failure to complete the facility.

~~(n)~~(n) The refusal to renew a facility owner license or a facility manager license shall be in accordance with the Kansas administrative procedure act and shall be subject to review under the Kansas judicial review act.

~~(o)~~(o) The grant or denial of an original facility owner license or facility manager license shall not be subject to the Kansas administrative procedure act. Such grant or denial shall be a matter to be determined in the sole discretion of the commission, whose decision shall be final upon the grant of a license to one of two or more competing applicants without the necessity of a hearing on the denial of a license to each other competing applicant. Any action for judicial review of such decision shall be by appeal to the supreme court in accordance with the Kansas judicial review act, except that the scope of review shall be limited to whether the action of the commission was arbitrary or capricious or constituted an abuse of discretion. All competing applicants for the facility owner license or facility manager license shall be parties to such appeal. Any such appeal shall have priority over other cases except those having statutory priority.

(e)(p) The commission may adopt rules and regulations regulating crossover employment between facility manager licensees and facility owner licensees and organization licensees.";

On page 7, in line 9, after "expenditures" by inserting "of the commission,"; in line 17, after "expenditures" by inserting "of the commission,";

On page 9, in line 37, after the first "K.S.A." by inserting "74-8815,";

And by renumbering sections accordingly;

On page 1, in the title, in line 5, after the first "K.S.A." by inserting "74-8815,"; and the bill be passed as amended.

Committee on **Financial Institutions and Insurance** recommends **SB 139** be passed.

Also, **SB 42** be amended on page 1, in line 11, after "vehicle" by inserting "insurance verification"; and the bill be passed as amended.

SB 121 be amended on page 1, following line 24, by inserting:

"Sec. 2. K.S.A. 40-202 is hereby amended to read as follows: 40-202. Nothing contained in this code shall apply to:

(a) Grand or subordinate lodges of any fraternal benefit society ~~which that~~ admits to membership only persons engaged in one or more hazardous occupations in the same or similar line of business or to fraternal benefit societies as defined in and organized under article 7 of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, unless they be expressly designated;

(b) the employees of a particular person, firm, or corporation;

(c) mercantile associations ~~which that~~ simply guarantee insurance to each other in the same lines of trade and do not solicit insurance from the general public;

(d) the Swedish mutual aid association of Rapp, Osage county, Kansas;

(e) the Scandia mutual protective insurance company; of Chanute, Kansas;

(f) the Seneca and St. Benedict mutual fire insurance company of Nemaha county, Kansas;

(g) the mutual insurance system practiced in the Mennonite church, in accordance with an old custom, either by the congregation themselves or by special associations, of its members in Kansas;

(h) the Kansas state high-school activities association;

(i) the mutual aid association of the church of the brethren; ~~or~~

(j) a voluntary noncontractual mutual aid arrangement whereby the needs of participants are announced and accommodated through subscriptions to a monthly publication;

(k) a self-funded health plan established or maintained for its employees by the state or a subdivision of the state, a school district, any public authority or by a county or city government or any political subdivision, agency or instrumentality thereof; or

(l) a self-funded health plan established or maintained for its employees by a church or by a convention or association of churches that is exempt from tax under section 501 of the internal revenue code.";

On page 14, in line 31, before "transactions" by inserting "material";

On page 22, following line 4, by inserting:

"Sec. 10. K.S.A. 40-4602 is hereby amended to read as follows: 40-4602. As used in this act:

(a) "Emergency medical condition" means the sudden and, at the time, unexpected

onset of a health condition that requires immediate medical attention, where failure to provide medical attention would result in serious impairment to bodily functions or serious dysfunction of a bodily organ or part, or would place the person's health in serious jeopardy.

(b) "Emergency services" means ambulance services and ~~health care~~ healthcare items and services furnished or required to evaluate and treat an emergency medical condition, as directed or ordered by a physician.

(c) "Health benefit plan" means any hospital or medical expense policy, health, hospital or medical service corporation contract, a plan provided by a municipal group-funded pool, a policy or agreement entered into by a health insurer or a health maintenance organization contract offered by an employer or any certificate issued under any such policies, contracts or plans. "Health benefit plan" does not include policies or certificates covering only accident, credit, dental, disability income, long-term care, hospital indemnity, medicare supplement, specified disease, vision care, coverage issued as a supplement to liability insurance, insurance arising out of a workers compensation or similar law, automobile medical-payment insurance, a self-funded health plan established or maintained for its employees by the state or a subdivision of the state, a school district, any public authority or by a county or city government or any political subdivision, agency or instrumentality thereof, a self-funded health plan established or maintained for its employees by a church or by a convention or association of churches that is exempt from tax under section 501 of the internal revenue code or insurance under which benefits are payable with or without regard to fault and ~~which that~~ is statutorily required to be contained in any liability insurance policy or equivalent self-insurance.

(d) "Health insurer" means any insurance company, nonprofit medical and hospital service corporation, municipal group-funded pool, fraternal benefit society, health maintenance organization, or any other entity ~~which that~~ offers a health benefit plan subject to the Kansas Statutes Annotated.

(e) "Insured" means a person who is covered by a health benefit plan.

(f) "Participating provider" means a provider who, under a contract with the health insurer or with its contractor or subcontractor, has agreed to provide one or more ~~health care~~ healthcare services to insureds with an expectation of receiving payment, other than coinsurance, copayments or deductibles, directly or indirectly from the health insurer.

(g) "Provider" means a physician, hospital or other person ~~which that~~ is licensed, accredited or certified to perform specified ~~health care~~ healthcare services.

(h) "Provider network" means those participating providers who have entered into a contract or agreement with a health insurer to provide items or ~~health care~~ healthcare services to individuals covered by a health benefit plan offered by such health insurer.

(i) "Physician" means a person licensed by the state board of healing arts to practice medicine and surgery.";

Also on page 22, in line 5, after "K.S.A." by inserting "40-202,"; in line 6, by striking the first "and" and inserting a comma; also in line 6, after "40-3308" by inserting "and 40-4602";

And by renumbering sections accordingly;

On page 1, in the title, in line 9, after the semicolon by inserting "exempting certain entities from state regulation as health benefit plans,"; also in line 9, after "K.S.A." by

inserting "40-202,"; in line 10, by striking the first "and" and inserting a comma; also in line 10, after "40-3308" by inserting "and 40-4602"; and the bill be passed as amended.

Committee on **Judiciary** recommends **SB 241**, **SB 244** be passed.

Also, **SB 157** be amended on page 1, in line 15, after "and" by inserting "the court shall"; in line 31, by striking "left the country" and inserting "been deported from the United States";

Also on page 1, in the title, in line 4, after "show" by inserting "that the"; also in line 4, by striking "left the country" and inserting "was deported from the United States"; and the bill be passed as amended.

SB 222 be amended on page 1, in line 8, after "an" by inserting "administrative hearing"; in line 15, after the first "an" by inserting "administrative hearing"; in line 16, by striking all after "in"; in line 17, by striking all before the period and inserting "a way that is consistent with an individual's fundamental constitutional rights";

Also on page 1, in the title, in line 4, after the first "an" by inserting "administrative hearing"; and the bill be passed as amended.

SB 128, **SB 156**, **SB 186** be passed and, because the committee is of the opinion that bills are of a noncontroversial nature, be placed on the consent calendar.

Committee on **Public Health and Welfare** recommends **SB 250** be passed.

Also, **SB 67** be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 67," as follows:

"Substitute for SENATE BILL NO. 67

By Committee on Public Health and Welfare

"AN ACT concerning health professions and practice; relating to the regulation of nursing; authorizing registered nurse anesthetists to prescribe, procure and administer drugs consistent with the nurse's education and qualifications; amending K.S.A. 65-1158 and repealing the existing section."; and the substitute bill be passed.

SB 193 be amended by substituting with a new bill to be designated as "Substitute for SENATE BILL NO. 193," as follows:

"Substitute for SENATE BILL NO. 193

By Committee on Public Health and Welfare

"AN ACT concerning the state board of pharmacy; relating to emergency opioid antagonists; exempting law enforcement agencies who do not provide emergency opioid antagonist pursuant to the statewide protocol from the requirement to procure a physician medical director; amending K.S.A. 2024 Supp. 65-16,127 and repealing the existing section."; and the substitute bill be passed.

SB 126 be amended on page 3, in line 38, by striking "examination" and inserting "by its licensing board receiving";

On page 10, in line 31, by striking "contract" and inserting "compact"; and the bill be passed as amended.

SB 175 be amended on page 1, in line 12, after "of" by inserting "injury"; by striking all in lines 14 and 15; in line 16, by striking all before the period and inserting , "physical evaluation, emergency care and referral or physical reconditioning relating to athletic activity including, but not limited to, sports participation, exercise, fitness training, strength and conditioning work, recreational physical activities and competitive athletics. "Athletic training" encompasses wellness promotion, risk management, immediate or emergency care, examination, assessment and therapeutic intervention or rehabilitation of athletic injury and illness"; in line 19, by striking all

after "and"; in line 20, by striking "of" and inserting "educating"; also in line 20, after "public" by inserting "regarding safe participation in athletic activities and proper training methods"; and the bill be passed as amended.

On motion of Senator Blasi, the Senate adjourned until 10:00 a.m., Tuesday, February 18, 2025.

CHARLENE BAILEY, CINDY SHEPARD, *Journal Clerks.*

COREY CARNAHAN, *Secretary of the Senate.*

