

## HOUSE BILL No. 2193

By Committee on Health and Human Services

Requested by Representative Howell on behalf of Kansas Family Voice

1-31

1 AN ACT concerning health and healthcare; enacting the every mom  
2 matters act; establishing the every mom matters program in the  
3 department of health and environment; requiring the state treasurer to  
4 contract with eligible organizations to provide information and support  
5 services to pregnant women and parents considering adoption;  
6 establishing the every mom matters program fund.

7  
8 *Be it enacted by the Legislature of the State of Kansas:*

9 Section 1. (a) Sections 1 through 8, and amendments thereto, shall be  
10 known and may be cited as the every mom matters act.

11 (b) The legislature declares that the purpose of the every mom  
12 matters act is to:

13 (1) Give pregnant women and parents access to support services and  
14 resources to promote healthy pregnancies and childbirths, provide  
15 information on adoption and increase access to resources that promote  
16 family and child development.

17 Sec. 2. As used in sections 1 through 8, and amendments thereto:

18 (a) "Abortion" means the same as defined in K.S.A. 65-6701, and  
19 amendments thereto;

20 (b) "abortion provider" means an entity that:

21 (1) Performs abortions;

22 (2) receives moneys from the performance of abortions;

23 (3) advertises, makes referrals for or otherwise arranges for the  
24 performance abortions; or

25 (4) operates a facility where abortions are performed;

26 (c) "department" means the department of health and environment;

27 (d) "program" means the every mom matters program established in  
28 section 3, and amendments thereto; and

29 (e) "secretary" means the secretary of health and environment.

30 Sec. 3. (a) There is established the every mom matters program to be  
31 administered by the secretary of health and environment.

32 (b) The every mom matters program shall make the following support  
33 services available to participants in the program:

34 (1) Assistance in assessing and evaluating the needs of the participant  
35 related to a pregnancy or parenting;

1 (2) providing medically accurate pregnancy-related information,  
2 including, but not limited to, educational materials on pregnancy health,  
3 obstetric care, what to expect in the birth process, how to communicate  
4 with medical providers and postpartum care;

5 (3) assistance in obtaining medical coverage, obstetric care, primary  
6 healthcare, mental or behavioral health counseling, substance abuse  
7 treatment, postpartum care and pediatric care;

8 (4) providing information on the adoption process in this state;

9 (5) providing educational information on life skills, parenting skills,  
10 job skills, decision making, healthy relationships and the success  
11 sequence;

12 (6) assistance in developing a care plan for support during pregnancy  
13 and post-childbirth parenting;

14 (7) assistance in obtaining employment or entering into a job training  
15 program;

16 (8) making referrals on behalf of participants to the appropriate local  
17 charitable organizations and to the appropriate agencies for federal and  
18 state benefits programs;

19 (9) assistance in applying for federal and state benefits programs;

20 (10) assistance in obtaining support and resources if the participant is  
21 a victim of abuse, assault, sexual assault, neglect, coercion or human  
22 trafficking; and

23 (11) any other services available to participants that further the  
24 purposes of this act.

25 (c) The state treasurer shall enter into agreements with one or more  
26 eligible contractors to provide the support services and resources required  
27 under the every mom matters program.

28 (d) Each contractor shall be:

29 (1) Registered to do business in this state and in good standing; and

30 (2) a nonprofit organization.

31 (e) No organization shall be eligible to be a contractor under the  
32 program if such organization is an abortion provider or an affiliate of an  
33 abortion provider.

34 (f) Each contractor shall:

35 (1) Make services available to participants through a telephonic  
36 system or other synchronous audio or video technology and may make  
37 services available through in-person contact with participants; and

38 (2) develop and publish marketing materials designed to provide  
39 awareness of adoption and the adoption resources that are available in this  
40 state.

41 Sec. 4. (a) To be eligible to be accepted in the every mom matters  
42 program, a person shall be:

43 (1) A resident of this state; and

- 1 (2) (A) The biological parent of an unborn child;  
2 (B) an adoptive parent of a child under one year of age; or  
3 (C) a parent of a person who is under 18 years of age and the  
4 biological parent of an unborn child.

5 (b) Participants accepted into the program are eligible to continue  
6 receiving support services and resources under the program for:

7 (1) Two years if the pregnancy related to the participant's eligibility  
8 results in a live birth;

9 (2) six months if the pregnancy related to the participant's eligibility  
10 results in a spontaneous miscarriage or stillbirth; or

11 (3) 15 days if the pregnancy related to the participant's eligibility  
12 results in an induced termination of such pregnancy.

13 Sec. 5. (a) Each contractor shall record the following information and  
14 prepare and submit a report each month to the department:

15 (1) The number of participants who received any of the services  
16 under section 3, and amendments thereto, during that month;

17 (2) the number and type of such services that were provided; and

18 (3) the number and type of referrals made on behalf of participants to  
19 the appropriate local charitable organizations and to the appropriate  
20 agencies for federal and state benefits programs during that month.

21 (b) Each contractor shall prepare and submit a report every six  
22 months to the department regarding specific services provided to  
23 individual participants. Such report shall include, if known;

24 (1) The date a pregnant participant:

25 (A) First obtained healthcare insurance coverage; and

26 (B) first visited a physician to obtain obstetric care; and

27 (2) whether the child of a pregnant participant was:

28 (A) Stillborn;

29 (B) born weighing less than 2,500 grams;

30 (C) born before 37 weeks gestation; or

31 (D) admitted to a neonatal intensive care unit.

32 (c) Information obtained by the secretary under this section shall be  
33 confidential and shall not be disclosed in a manner that would reveal the  
34 identity of any participant in the program. Information obtained by the  
35 secretary under this section may be used only for statistical purposes. The  
36 provisions of this subsection shall expire on July 1, 2030, unless the  
37 legislature reviews and reenacts such provisions in accordance with K.S.A.  
38 45-229, and amendments thereto, prior to July 1, 2030.

39 Sec. 6. (a) The state treasurer shall distribute moneys from the every  
40 mom matters program fund to contractors with whom the state treasurer  
41 has entered into an agreement with pursuant to section 3, and amendments  
42 thereto, for the provision of those support services and resources required  
43 to be provided by such contractor under such agreement. Such moneys

1 shall be distributed to each contractor based on the anticipated program  
2 expenses of such contractor for the immediately succeeding quarter. Each  
3 quarter the department shall reconcile the immediately preceding quarterly  
4 distribution to each contractor with such contractor's actual program  
5 expenses. The subsequent quarterly distribution to such contractor shall  
6 then be adjusted accordingly based on such reconciliation.

7 (b) Each contractor shall only use moneys distributed pursuant to this  
8 section for the following:

9 (1) Expenses necessary to provide the support services and resources  
10 required by the agreement with the state treasurer;

11 (2) marketing expenses incurred by the contractor for marketing of  
12 the support services and resources the contractor may provide; and

13 (3) administrative expenses and other indirect costs associated with  
14 the program.

15 (c) There is created in the state treasury the every mom matters  
16 program fund to be administered by the state treasurer. All expenditures  
17 from the every mom matters program fund shall be made only for the  
18 purposes of sections 1 through 8, and amendments thereto, and shall be  
19 made in accordance with appropriation acts upon warrants of the director  
20 of accounts and reports issued pursuant to vouchers approved by the state  
21 treasurer, or the state treasurer's designee.

22 Sec. 7. (a) The state treasurer shall not condition participation by an  
23 eligible contractor in the every mom matters program on a requirement  
24 that such contractor, or any employee or agent thereof:

25 (1) Forfeit or otherwise waive the right to freedom of religion,  
26 expression or association as guaranteed by the first amendment to the  
27 constitution of the United States; or

28 (2) take any action to which such contractor, or employee or agent  
29 thereof, has a conscientious objection.

30 (b) Nothing in sections 1 through 6, and amendments thereto, shall be  
31 construed to prohibit, restrict or otherwise limit any contractor from  
32 carrying out any other religious or sectarian services or programs that are  
33 funded by other sources of revenue.

34 Sec. 8. Sections 1 through 7, and amendments thereto, are declared  
35 severable. If any provision of sections 1 through 7, and amendments  
36 thereto, or the application thereof to any person shall be held invalid, then  
37 such invalidity shall not affect the validity of the remaining provisions of  
38 sections 1 through 7, and amendments thereto.

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