

Senate Substitute for HOUSE BILL No. 2240

By Committee on Government Efficiency

3-18

1 AN ACT concerning public assistance; requiring approval by an act of the
2 legislature prior to any state agency seeking or implementing any
3 public assistance program waiver or other authorization from the
4 federal government that expands eligibility for any public assistance
5 program, increases cost to the state or makes certain changes in
6 services for persons with intellectual or developmental disabilities;
7 authorizing approval of waivers or other authorizations by the
8 legislative coordinating council when the legislature is not in session.
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10 *Be it enacted by the Legislature of the State of Kansas:*

11 Section 1. (a) Except as provided further, on and after July 1, 2025,
12 no state agency shall seek or implement any public assistance program
13 waiver or other authorization from the federal government, including, but
14 not limited to, a medicaid state plan, state plan amendment, state
15 demonstration or a waiver pursuant to section 1115 or 1915 of the federal
16 social security act, that would expand eligibility for any public assistance
17 program to any additional individuals or class of individuals or would
18 increase any cost to the state unless the legislature expressly consents to
19 and approves of such waiver or other authorization by an act of the
20 legislature. The legislative coordinating council, as provided in K.S.A. 46-
21 1202, and amendments thereto, may approve such waiver or other
22 authorization when the legislature is not in session or designate a standing
23 committee or special committee to review an agency's request and make
24 recommendations to the legislative coordinating council based on the
25 committee's review. The provisions of this section shall not affect any state
26 plan amendment or waiver program already being implemented prior to
27 July 1, 2025. A state agency shall provide official notification to the
28 legislative coordinating council that such agency is requesting approval of
29 an action that requires legislative approval pursuant to this section. Upon
30 official receipt of such notification, the legislative coordinating council or
31 the designated standing committee or special committee shall meet within
32 14 calendar days to consider and take action on such request.

33 (b) On and after July 1, 2025, no state agency shall seek or implement
34 any change to funding structures, day services or targeted case
35 management services for persons with intellectual or developmental
36 disabilities unless the legislature expressly consents to and approves of

1 such change by an act of the legislature.

2 (c) For purposes of this section:

3 (1) "Public assistance program" means any assistance under K.S.A.
4 39-709, and amendments thereto; and

5 (2) "state agency" means the same as defined in K.S.A. 75-3701, and
6 amendments thereto.

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