

## HOUSE BILL No. 2307

By Committee on Health and Human Services

Requested by Representative Howell on behalf of Kansans for Life

2-5

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1 AN ACT concerning health and healthcare; relating to prenatally and  
2 postnatally diagnosed conditions; transferring the power to authorize  
3 and oversee certain activities regarding prenatal and postnatal  
4 diagnosed conditions awareness programs from the department of  
5 health and environment to the Kansas council on developmental  
6 disabilities; amending K.S.A. 65-1,259 and repealing the existing  
7 section.  
8

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

10 New Section 1. (a) Authorization and oversight of prenatally and  
11 postnatally diagnosed conditions awareness programs are hereby  
12 transferred from the department of health and environment to the Kansas  
13 council on developmental disabilities. The powers, duties and functions of  
14 the department of health and environment related to prenatally and  
15 postnatally diagnosed conditions awareness programs as provided in  
16 K.S.A. 65-1,259, and amendments thereto, are hereby transferred and  
17 imposed upon the Kansas council on developmental disabilities.

18 (b) Whenever the department of health and environment, the  
19 secretary of health and environment, or words of like effect, are referred  
20 to or designated by statute, contract or other document, and such reference or  
21 designation is in regard to any function, power or duty related to prenatally  
22 and postnatally diagnosed conditions awareness programs as provided in  
23 K.S.A. 65-1,259, and amendments thereto, such reference or designation  
24 shall be deemed to apply to the Kansas council on developmental  
25 disabilities.

26 (c) All rules and regulations, orders and directives of the secretary of  
27 health and environment related to prenatally and postnatally diagnosed  
28 conditions awareness programs that are in effect pursuant to K.S.A. 65-  
29 1,259, and amendments thereto on the effective date of this act shall  
30 continue to be effective and shall be deemed to be rules and regulations,  
31 orders and directives of the chairperson of the Kansas council on  
32 developmental disabilities until amended, revoked or nullified pursuant to  
33 law.

34 Sec. 2. K.S.A. 65-1,259 is hereby amended to read as follows: 65-  
35 1,259. (a) ~~The secretary of the department of health and environment may~~

1 *Kansas council on developmental disabilities shall* authorize and oversee  
2 certain activities, including the awarding of grants, contracts or  
3 cooperative agreements to eligible entities to:

4 (1) Collect, synthesize and disseminate current evidence-based  
5 information relating to Down syndrome or other prenatally or postnatally  
6 diagnosed conditions; and

7 (2) coordinate the provision of, and access to, new or existing  
8 supportive services for women and the spouses of such women who  
9 receive a positive diagnosis of Down syndrome or other prenatally or  
10 postnatally diagnosed conditions for their child, including, but not limited to:  
11

12 (A) The establishment of a resource telephone hotline or website  
13 accessible to women and the spouses of such women who receive a  
14 positive diagnosis of Down syndrome or other prenatally or postnatally  
15 diagnosed conditions for their child;

16 (B) the development of outreach programs to new and expecting  
17 parents to provide them with up-to-date information on the range of  
18 outcomes for individuals living with the diagnosed condition, including  
19 physical, developmental, educational and psychosocial outcomes;

20 (C) the development of local peer support programs to effectively  
21 serve women and the spouses of such women who receive a positive  
22 diagnosis of Down syndrome or other prenatally or postnatally diagnosed  
23 conditions for their child;

24 (D) the establishment of a network of local registries of families  
25 willing to adopt newborns with Down syndrome or other prenatally or  
26 postnatally diagnosed conditions, and links to adoption agencies willing to  
27 place babies with Down syndrome or other prenatally or postnatally  
28 diagnosed conditions with families willing to adopt; and

29 (E) the establishment of awareness and education programs for health  
30 care providers who provide, interpret or inform parents of the results of  
31 prenatal tests for Down syndrome or other prenatally or postnatally  
32 diagnosed conditions to patients.

33 (b) A grantee under this section shall make the following available to  
34 health care providers of parents who receive a prenatal or postnatal  
35 diagnosis for their child:

36 (1) Up-to-date, evidence-based, written information concerning the  
37 range of outcomes for individuals living with the diagnosed condition,  
38 including physical, developmental, educational and psychosocial  
39 outcomes; *and*

40 (2) contact information regarding support services, including  
41 information hotlines and websites specific to Down syndrome or other  
42 prenatally or postnatally diagnosed conditions, resource centers or  
43 clearinghouses, local peer support groups and other education and support

1 programs.

2 (c) Information provided under this subsection shall be culturally and  
3 linguistically appropriate as needed by women and the spouses of such  
4 women who receive a positive diagnosis for Down syndrome or other  
5 prenatally or postnatally diagnosed conditions for their child, and  
6 approved by the ~~secretary~~ *Kansas council on developmental disabilities*.

7 (d) In distributing funds under this section, the ~~secretary~~ *Kansas*  
8 *council on developmental disabilities* shall place an emphasis on funding  
9 partnerships between health care professional groups and disability  
10 advocacy organizations.

11 (e) On or before January ~~12, 2015~~ *11, 2027*, the ~~secretary~~ *Kansas*  
12 *council on developmental disabilities* shall prepare and submit a report to  
13 the governor and the legislature on the grants, contracts and cooperative  
14 agreements made under this section and the effectiveness of the programs  
15 supported by such grants, contracts and cooperative agreements.

16 (f) As used in this section:

17 (1) "Down syndrome" means a chromosomal disorder caused by an  
18 error in cell division that results in the presence of an extra whole or  
19 partial copy of chromosome 21.

20 (2) "Eligible entity" means the state, or any political subdivision  
21 thereof, or any other entity with appropriate expertise in prenatally and  
22 postnatally diagnosed conditions, as determined by the ~~secretary~~ *Kansas*  
23 *council on developmental disabilities*.

24 (3) "Health care provider" ~~shall have the same meaning~~ *means the*  
25 *same* as that term is defined in K.S.A. 40-3401, and amendments thereto.

26 (4) "Postnatally diagnosed condition" means any health condition  
27 identified during the 12-month period beginning at birth.

28 (5) "Prenatally diagnosed condition" means any fetal health condition  
29 identified by prenatal genetic testing or prenatal screening procedures.

30 (6) "Prenatal test" means diagnostic or screening tests offered to  
31 pregnant women seeking routine prenatal care that are administered on a  
32 required or recommended basis by a health care provider based on medical  
33 history, family background, ethnic background, previous test results or  
34 other risk factors.

35 (7) ~~"Secretary" means the secretary of the department of health and~~  
36 ~~environment.~~

37 (g) (1) *There is hereby established in the state treasury the prenatally*  
38 *and postnatally diagnosed conditions awareness programs fund. All*  
39 *moneys credited to the prenatally and postnatally diagnosed conditions*  
40 *awareness programs fund shall be expended only for prenatally and*  
41 *postnatally diagnosed conditions awareness programs. All expenditures*  
42 *from the prenatally and postnatally diagnosed conditions awareness*  
43 *programs fund shall be made in accordance with appropriation acts upon*

1 *warrants of the director of accounts and reports issued pursuant to*  
2 *vouchers approved by the chairperson of the Kansas council on*  
3 *developmental disabilities.*

4 *(2) On July 1, 2025, the director of accounts and reports shall*  
5 *transfer \$25,000 from the state general fund to the the prenatally and*  
6 *postnatally diagnosed conditions awareness programs fund.*

7 Sec. 3. K.S.A. 65-1,259 is hereby repealed.

8 Sec. 4. This act shall take effect and be in force from and after its  
9 publication in the statute book.