

As Amended by House Committee

Session of 2026

HOUSE BILL No. 2736

By Committee on Insurance

Requested by Representative Sutton

2-5

1 AN ACT concerning health and healthcare; relating to hospital billing;
2 requiring non-disproportionate share hospitals to screen **uninsured**
3 patients for eligibility for such hospital's financial assistance programs
4 or charity care policy.

5

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

7 Section 1. (a) Using the process prescribed by the Kansas department
8 of health and environment, a non-disproportionate share hospital shall
9 screen all **uninsured** patients for eligibility of such hospital's financial
10 assistance program and charity care policy. A hospital shall not ~~pursue debt~~
11 ~~collections from any patient's account: (1) Garnish the wages of a~~
12 ~~patient; or (2) report or authorize a third-party debt collector to~~
13 ~~report medical financial information or debt to any credit bureau~~ until
14 the hospital verifies that such patient is not eligible for the hospital's
15 financial assistance program or charity care policy.

16 (b) The secretary of health and environment shall adopt rules and
17 regulations to establish a process for screening a patient for eligibility for a
18 hospital's financial assistance program and charity care under subsection
19 (a). **Such screening may be conducted by a third-party vendor with**
20 **demonstrated experience in conducting such medical charity care and**
21 **financial eligibility screening.**

22 (c) The process adopted by rules and regulations under subsection (b)
23 shall require that a hospital:

24 (1) Conduct the screening **not later than 90 days post-discharge** and
25 apply any charity care discounts or full cost coverage for which the patient
26 qualifies before sending a bill to such patient; and

27 (2) include on each billing statement a notice of:

28 (A) The availability of financial assistance;

29 (B) the contact information for the office or department of the
30 hospital that can provide information about obtaining financial assistance;
31 and

32 (C) the direct internet address for the financial assistance policy.

33 (d) A patient may ~~apply for charity care appeal an adverse~~
34 **determination** if the patient was screened for eligibility and ~~is was found~~
35 ineligible or the patient disagrees with the amount of the charity care

1 discount.

2 (e) If a hospital makes an incorrect determination under subsection
3 (a) based on the information provided by the patient at the time of the
4 determination, the hospital shall:

5 (1) Refund ~~the amount of charity care for which the patient qualified~~
6 **any amount paid by the patient that exceeds the actual amount owed;**
7 and

8 (2) reimburse any other associated reasonable costs, such as legal
9 expenses and fees, incurred by the patient in securing charity care.

10 (f) If the hospital sold medical debt based on an incorrect
11 determination to a collection agency or authorized a collection agency to
12 collect such debt on behalf of the hospital, the hospital shall notify the
13 collection agency that such debt is invalid **and take measures to ensure**
14 **that the patient's credit report has been corrected within 90 calendar**
15 **days.**

16 (g) ~~A person who is aggrieved by a violation of this section may bring~~
17 ~~a civil action against the hospital for injunctive relief and damages~~
18 **As used in this section, a non-disproportionate share hospital is a healthcare**
19 **facility that does not meet the specific federal or state medicaid or**
20 **medicare criteria for treating a high volume of low-income uninsured**
21 **or medicaid-eligible patients.**

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