

January 31, 2014

The Honorable Lance Kinzer, Chairperson
House Committee on Judiciary
Statehouse, Room 165-W
Topeka, Kansas 66612

Dear Representative Kinzer:

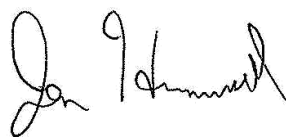
SUBJECT: Fiscal Note for HB 2523 by Senate Committee on Health and Human Services

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2523 is respectfully submitted to your committee.

HB 2523 would provide that any communication with a patient, or the family of a patient that expresses apology or condolence for unexpected medical outcomes could not be used as evidence in a medical professional liability claim or lawsuit.

The Health Care Stabilization Fund Board of Governors states that passage of HB 2523 could have a long-term effect on expenditures from the Health Care Stabilization Fund. While the exclusion of evidence of an apology or other condolence might affect the final jury award or settlement agreement in a malpractice suit, numerous other factors influence the final judgment. Therefore, it is not possible to estimate how much future expenditures from the fund would be affected by passage of this bill. Any fiscal effect associated with HB 2523 is not reflected in *The FY 2015 Governor's Budget Report*.

Sincerely,



Jon Hummell,
Interim Director of the Budget

cc: Chip Wheelen, Health Care Stabilization Fund
Aaron Dunkel, KDHE