



# Kansas Health Care Stabilization Fund

Website <https://hcsf.kansas.gov/>  
E-mail [hcsf@ks.gov](mailto:hcsf@ks.gov)

300 SW 8<sup>th</sup> Ave. 2<sup>nd</sup> Floor  
Topeka, Kansas 66603

Phone 785 291 3777  
Fax 785 291 3550

Testimony To  
House Health and Human Services Committee  
From HCSF Board of Governors  
By Charles L. Wheelen  
January 22, 2018  
Regarding Senate Bill 217

The HCSF Board of Governors respectfully requests a couple of minor technical amendments to Senate Bill 217.

Our agency is required to prepare and publish an annual report following each fiscal year and the minimum components of that report are prescribed in K.S.A. 40-3403(b)(1)(C). The statute does not stipulate to whom the report shall be made.

Traditionally we include the statutory report in our comprehensive annual report to the Health Care Stabilization Fund Oversight Committee. When we did this in October 2017 it was suggested that the next time there is a bill available that amends K.S.A. 40-3403, we should request an amendment that would ratify our customary practice.

Section 17 of SB 217 amends K.S.A. 40-3403 to update statutory references pertaining to mental health facilities that are now licensed and regulated by the Kansas Department for Aging and Disability Services. This presents the opportunity to add a couple of additional technical amendments on page 27 as described on the attached page.

We request your favorable consideration. Thank you.

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Jimmie A. Gleason, M.D., Chairman  
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Kiley A. Floyd

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care provider;

(C) prepare and publish, ~~on or before October 1 of each year,~~ an annual report for submission to the health care stabilization fund oversight committee which includes a summary of the fund's activity during the preceding fiscal year, including, but not limited to, the amount collected from surcharges, the highest and lowest surcharges assessed, the amount paid from the fund, the number of judgments paid from the fund, the number of settlements paid from the fund and the amount in the fund balance at the end of the fiscal year; and

(D) have the authority to grant temporary exemptions from the provisions of K.S.A. 40-3402 and 40-3404, and amendments thereto, to health care providers who have exceptional circumstances and verify in writing that the health care provider will not render professional services in this state during the period of exemption. Whenever the board grants such an exemption, the board shall notify the state agency ~~which~~ *that* licenses the exempted health care provider.

(2) The board shall consist of 11 persons appointed by the commissioner of insurance, as provided by this subsection ~~(b)~~ and as follows:

(A) Three members who are licensed to practice medicine and surgery in Kansas who are doctors of medicine and who are on a list of nominees submitted to the commissioner by the Kansas medical society;

(B) three members who are representatives of Kansas hospitals and who are on a list of nominees submitted to the commissioner by the Kansas hospital association;

(C) two members who are licensed to practice medicine and surgery in Kansas who are doctors of osteopathic medicine and who are on a list of nominees submitted to the commissioner by the Kansas association of osteopathic medicine;

(D) one member who is licensed to practice chiropractic in Kansas and who is on a list of nominees submitted to the commissioner by the Kansas chiropractic association;

(E) one member who is a licensed professional nurse authorized to practice as a registered nurse anesthetist who is on a list of nominees submitted to the commissioner by the Kansas association of nurse anesthetists; *and*

(F) one member who is a representative of adult care homes who is on a list of nominees submitted to the commissioner by statewide associations comprised of members who represent adult care homes.

(3) When a vacancy occurs in the membership of the board of governors created by this act, the commissioner shall appoint a successor of like qualifications from a list of three nominees submitted to the commissioner by the professional society or association prescribed by this section for the category of health care provider required for the vacant position on the board of governors. All appointments made shall be for a