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# United States Senate

February 16, 2021

COMMITTEES:  
APPROPRIATIONS  
COMMERCE, SCIENCE,  
AND TRANSPORTATION  
VETERANS' AFFAIRS  
INDIAN AFFAIRS  
BANKING, HOUSING,  
AND URBAN AFFAIRS

Committee on Public Health and Welfare  
Kansas Senate  
Statehouse, Room 118-M  
Topeka, Kansas 66612

Committee on Health and Human Services  
Kansas House of Representatives  
Statehouse, Room 546-S  
Topeka, Kansas 66612

Dear Senators and Representatives,

I write today to encourage you to pass SB 175/ HB 2261, both of which would enact the Rural Emergency Hospital designation in Kansas statute. It is critical the Kansas Legislature do this as soon as possible so that rural hospitals in our state can select the new Centers for Medicare and Medicaid Services designation in order to ensure their long-term viability. The Rural Emergency Hospital designation was recently created by the Consolidated Appropriations Act of 2021 (H.R.133/Pub.L.116-260), which passed Congress on December 21, 2020 and was signed into law by the President on December 27, 2020. The development was the culmination of many years of work by multiple members of Congress from Kansas to give a new payment model to rural hospitals that are threatened with closure under currently available CMS designations.

Right now, most rural hospitals in Kansas are Critical Access Hospitals, a designation that requires them to maintain acute care beds. Many hospitals in communities severely affected by outmigration often have an average daily census of less than 1, so transitioning to the REH designation would allow them to forgo this capital expense while maintaining CMS funding as a hospital. To do so, they would need to maintain 24-hour emergency services, have agreements in place to transfer patients to regional hospitals once they have been stabilized, and maintain a hospital clinic for serving the healthcare needs of the community.

Many hospitals in Kansas are comfortable with remaining CAHs, but they should have the option of becoming an REH if they need to. Passing SB 175/HB 2261 would align state law with federal law in this respect, and I encourage the Kansas Legislature to make these changes.

Sincerely,



Jerry Moran