



January 26, 2022

Heather Braum, Health Policy Advisor  
Kansas Action for Children  
Verbal testimony in opposition to HB 2463  
House Committee on Health and Human Services

Chairwoman Landwehr and members of the Committee:

Thank you for the opportunity to provide testimony in opposition to HB 2463, which would prohibit changes to the medical assistance program, also known as KanCare, through January 1, 2026.

Kansas Action for Children is a nonprofit advocacy organization working to make Kansas a place where every child has the opportunity to grow up healthy and thrive. We work across the political spectrum to improve the lives of Kansas children through bipartisan advocacy, partnership, and information-sharing on key issues, including early learning and education, health, and economic security for families.

We oppose HB 2463 for two reasons: (1) It delays the KanCare managed care organization (MCO) re-procurement process and waiver renewal and/or change of waiver authority, and (2) the bill language is excessively broad.

At first glance, it appears this bill focuses on delaying the MCO re-procurement process for several more years, as well as delaying the renewal and/or change of the waiver authority for the entire KanCare program. The contract renewal process has already started, and extending the current contract prevents important improvements to and accountability for the services provided by MCOs, including addressing data collection and data transparency issues, provider network adequacy, and social determinants of health (i.e., transportation issues). If state plan amendment (SPA) and waiver changes are also restricted by this bill, Kansas needlessly creates issues for timely updates to our medical assistance programs.

To help the state address ongoing budget neutrality constraints of the current 1115 waiver authority for KanCare, there may be a need to change waivers that could help the state tackle the numerous out-of-date provider reimbursement rates, among other potential policy changes. This bill appears to prevent the KanCare program from addressing current budget neutrality constraint concerns.



Additionally, and much more problematic, we are very concerned at how broad the section one language in the bill appears to be, stating:

“...no state agency shall make any substantive or material change to the medical assistance program....”

What does “substantive or material change” mean? HB 2463 includes no definition of what would constitute such a change.

We are concerned that prohibiting “substantive or material change” to the state medical assistance program could force the KanCare program to lose timely and responsive flexibility and prevent possible program changes from being implemented.

Even if the original intent of the bill is not intended to implement non-contract renewal restrictions, the way the legislation is currently worded creates these concerns and questions.

Finally, if the concerns about the broad language are addressed and the bill’s language is tightened, this bill will still not allow a much-needed MCO re-procurement process to begin its lengthy and important work to gather information, engage with stakeholders, seek public comment, and drive forward the next round of strengthening and improving the current KanCare system.

Thank you for the opportunity to share our opposition to HB 2463. Please do not hesitate to contact me at [heather@kac.org](mailto:heather@kac.org) if you have any questions.