

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT and MR. SPEAKER: Your committee on conference on House amendments to **SB 286** submits the following report:

The Senate accedes to all House amendments to the bill, and your committee on conference further agrees to amend the bill as printed with House Committee of the Whole amendments, as follows:

On page 1, in line 22, after the second "of" by inserting ":

(A)";

Also on page 1, in line 23, by striking the first comma and inserting "with the intent to prevent such employee from freely moving to a different location or to provide care for another person;

(B)";

Also on page 1, also in line 23, after "intimidation" by inserting a semicolon; also in line 23, by striking "by" and inserting:

"(C)";

On page 8, in line 21, after "(g)" by inserting "Notwithstanding the prior expiration of this section on March 31, 2022, the provisions of this section shall be in force and effect on and after the effective date of this act.";

On page 9, in line 8, after "(e)" by inserting "Notwithstanding the prior expiration of this section on March 31, 2022, the provisions of this section shall be in force and effect on and after the effective date of this act."; in line 11, by striking the comma and inserting ":

(1) (A)";

Also on page 9, in line 11, after "provider" by inserting "that is employed by or providing healthcare services at a medical care facility as defined in K.S.A. 65-425, and amendments

thereto,"; following line 16, by inserting:

"(B) The provisions of subparagraph (A) shall not apply to a healthcare provider that is employed by or providing healthcare services at a medical care facility as defined in K.S.A. 65-425, and amendments thereto, that denies healthcare services to a person at such medical care facility based solely on such person's COVID-19 vaccination status.

(2) A healthcare provider that is not employed by or providing healthcare services at a medical care facility as defined in K.S.A. 65-425, and amendments thereto, is immune from civil liability for damages, administrative fines or penalties for acts, omissions, healthcare decisions or the rendering of or the failure to render healthcare services, including services that are altered, delayed or withheld, as a direct response to the COVID-19 public health emergency.";

Also on page 9, in line 17, after "(b)" by inserting "(1) Except as provided in paragraph (2),"; in line 20, after the period by inserting "The provisions of this section shall apply to such claims accruing on or after March 30, 2022, and prior to the effective date of this act.

(2) The provisions of subsection (a)(1), as amended by this act, shall apply to any claims for damages or liability that arise out of or relate to acts, omissions or healthcare decisions occurring between the effective date of this act and January 20, 2023, related to the COVID-19 public health emergency.";

Also on page 9, in line 34, after "(b)" by inserting "Notwithstanding the prior expiration of this section on March 31, 2022, the provisions of this section shall be in force and effect on and after the effective date of this act."; in line 40, after "(b)" by inserting "(1) Except as provided in paragraph (2),";

On page 10, following line 6, by inserting:

"(2) The provisions of K.S.A. 2021 Supp. 60-5503(a)(1), as amended by this act, shall apply to any cause of action accruing on or after the effective date of this act and prior to January

20, 2023.";

On page 11, in line 22, after the period by inserting "Notwithstanding the prior expiration of this paragraph on March 31, 2022, the provisions of this paragraph shall be in force and effect on and after the effective date of this act.";

On page 1, in the title, in line 1, by striking "liability for certain actions" and inserting "public health";

And your committee on conference recommends the adoption of this report.

Conferees on part of House

Conferees on part of Senate