

April 14, 2023

The Honorable Beverly Gossage, Chairperson
Senate Committee on Public Health and Welfare
300 SW 10th Avenue, Room 142-S
Topeka, Kansas 66612

Dear Senator Gossage:

SUBJECT: Fiscal Note for SB 246 by Senate Committee on Ways and Means

In accordance with KSA 75-3715a, the following fiscal note concerning SB 246 is respectfully submitted to your committee.

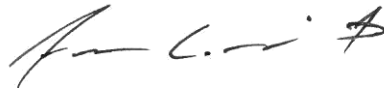
SB 246 would create the Kansas Telehealth Advisory Committee, which would be required to advise and make recommendations regarding telemedicine quality care practices. The Committee would consist of 22 voting members and three non-voting members from various health and insurance related professions, entities, state agencies, and the Legislature. The bill would include requirements for the Committee and would add and amend definitions within the Kansas Telemedicine Act. The bill would specify that telemedicine could be used by an in-state practitioner to refer a patient to a specialty service healthcare provider to the extent that such services are consistent with the standard of care for an in-state practitioner. The bill would also contain specifications for use of audio-only communication by practitioners. Accident and health insurance plans and policies would be prohibited from requiring the use of any specific information technology application by an in-state practitioner and the bill would include new requirements for coverage of certain telemedicine services. SB 246 would be effective upon publication in the *Kansas Register*.

According to Legislative Administrative Services, enactment of SB 246 would increase expenditures for the Legislature by \$17,367, all from the State General Fund, in FY 2024. This estimate assumes the minimum four meetings of the Advisory Committee created by the bill and uses salary and subsistence rates currently in place. The estimate includes \$14,628 for the pay of six Legislators, \$2,499 for a Committee Assistant, and \$240 for publication in the *Kansas Register*.

The Kansas State Board of Healing Arts states that enactment of the bill would have a negligible fiscal effect on the agency and any additional workload would be handled within

existing resources. The Kansas State Board of Nursing also anticipates a negligible fiscal effect. According to the Kansas Department of Health and Environment, the Kansas Insurance Department, and the Behavioral Sciences Regulatory Board, enactment of SB 246 would not result in a fiscal effect on the operations of any of the respective agencies. Any fiscal effect associated with SB 246 is not reflected in *The FY 2024 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Karen Clowers, Legislative Services
Gordon Self, Revisor of Statutes
J.G. Scott, Legislative Research
Susan Gile, Board of Healing Arts
Amy Penrod, Department of Health & Environment
Bobbi Mariani, Insurance Department
David Fye, Behavioral Sciences Regulatory Board
Jill Simons, Board of Nursing