AN ACT establishing the federal medical assistance percentage stabilization fund; limiting transfers from such fund, specified uses.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) There is hereby established in the state treasury the federal medical assistance percentage stabilization fund, to be administered by the department of health and environment. All expenditures from the federal medical assistance percentage stabilization fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the secretary of health and environment or the secretary's designee.

(b) Notwithstanding the provisions of any other statute, the attorney general is hereby authorized and directed to remit to the state treasurer, in accordance with the provisions of K.S.A. 75-4215, and amendments thereto, any moneys that are recovered by the attorney general on behalf of the state in the civil action Texas v. United States, no. 7:15-cv-00151-O (N.D. Tex.). Upon receipt of each such remittance, the state treasurer shall deposit the entire amount into the state treasury to the credit of the federal medical assistance percentage stabilization fund.

(c) Beginning in fiscal year 2020, all transfers from the federal medical assistance percentage stabilization fund shall be used during any fiscal year to fund any additional title XIX costs incurred due to any decrease to the federal medical assistance percentage for the state of Kansas.

(d) Each fiscal year, on December 1 and June 30, beginning in fiscal year 2020, the secretary shall determine and certify the estimated amount of any reduced or increased title XIX costs incurred due to any increase or decrease to the federal medical assistance percentage for the state of Kansas in the current fiscal year. The secretary shall certify each such amount to the director of accounts and reports and shall transmit a copy of each such certification to the director of the budget and the director of legislative research. Upon receipt of any such certification indicating reduced costs, the director of accounts and reports shall transfer such certified amount of moneys from the state general fund to the federal medical assistance percentage stabilization fund. Upon receipt of any such certification indicating increased costs, the director of accounts and reports...
shall transfer such certified amount of moneys from the federal medical
assistance percentage stabilization fund to the state general fund.

(e) The federal medical assistance percentage stabilization fund and
any other moneys transferred pursuant to this section shall be used for the
purposes set forth in this section and for no other governmental purposes.
It is the intent of the legislature that the funds and the moneys deposited in
this fund shall remain intact and inviolate for the purposes set forth in this
section.

(f) As used in this section, "moneys that are recovered" includes
damages, penalties, attorney fees, costs, disbursements, refunds, rebates or
any other monetary payment made or paid by any defendant by reason of
any judgment, consent decree or settlement, after payment of any costs or
fees allocated by court order.

(g) On or before September 1 of each year, the secretary of health and
environment shall submit an annual report to the legislature and the
legislative budget committee. The report shall include details of actual
expenditures related to adjustments of the federal medical assistance
percentage for the state of Kansas and all certified amounts transferred in
and out of the federal medical assistance percentage stabilization fund.

Sec. 2. This act shall take effect and be in force from and after its
publication in the Kansas register.