

UPDATED
SESSION OF 2021

SUPPLEMENTAL NOTE ON SENATE BILL NO. 295

As Recommended by Senate Committee on
Public Health and Welfare

Brief*

SB 295 would allow a board of county commissioners acting as a county board of health to adopt a resolution prescribing the county's plan for distribution or administration of COVID-19 vaccines. Such resolution would describe the county's prioritized vaccination plan and provide definitions of identified population segments that incorporate the following guiding principles:

- Providing widespread access to COVID-19 vaccines;
- Maximizing vaccine acceptance and public health protection; and
- Minimizing waste and inefficiency.

The bill would allow a county's prioritized vaccination plan to differ from a vaccination plan or recommendation from the Kansas Department of Health and Environment (KDHE). The bill would require a county's prioritized vaccination plan for distribution or administration to comply with federal law and recommendations.

The bill would allow KDHE to retain the authority to allot vaccinations to counties on a schedule as determined by KDHE. The bill would prohibit KDHE from reducing or delaying vaccination allotments or taking any action that has

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

the effect of reducing or delaying vaccination allotments based upon a county's decision related to vaccine distribution or administration.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the Senate Committee on Federal and State Affairs at the request of Senator Hilderbrand.

Senate Committee on Public Health and Welfare

In the Senate Committee hearing on March 15, 2021, a representative of the Board of Sedgwick County Commissioners provided **proponent** testimony. The representative stated the Board of Sedgwick County Commissioners voted on March 3, 2021, to send a letter to KDHE asking for permission to shift certain vulnerable citizens in Sedgwick County from Phase III to Phase II of the State's vaccination plan. The representative stated KDHE did not respond to the request but that the Sedgwick County Health Department reported KHDE would reduce the county's vaccine allotment if the County administered vaccinations to non-Phase II populations. The representative stated the bill would allow counties to make their own choices regarding vaccination prioritization and administer doses to individuals with significant underlying conditions.

Written-only **proponent** testimony was provided by a former Johnson County Commissioner, representatives of the Ness County Health Department, the Norton County Health Department, and the Wamego City Hospital.

Written-only **opponent** testimony was provided by the Secretary of Health and Environment (Secretary). The

Secretary stated KDHE developed the vaccination allotment plan to prioritize Kansas' population based on public health risk and criticality to state infrastructure. The Secretary stated the bill would not allow the State to coordinate an effective vaccination campaign.

No neutral testimony was provided.

Fiscal Information

At the time of the Senate Committee hearing, no fiscal note was available. A subsequent fiscal note was issued. According to the fiscal note prepared by the Division of the Budget, KDHE indicates enactment of the bill would have no fiscal effect on its operations. The Kansas Association of Counties indicates enactment of the bill would give discretion to counties in how to distribute and administer vaccines, but the Association is unable to estimate the fiscal effect.

Vaccine distribution; COVID-19; vaccines; local government; county resolution; Kansas Department of Health and Environment