

SESSION OF 2018

**CONFERENCE COMMITTEE REPORT BRIEF
SENATE BILL NO. 217**

As Agreed to April 3, 2018

Brief*

SB 217 would update several statutory references in accordance with enacted 2016 SB 449 and 2012 Executive Reorganization Order No. 41.

The bill would replace the term “mentally retarded and other handicapped persons” in statutes with “individuals with intellectual or other disabilities” in accordance with current law. The bill would amend language to clarify the annual report of the Kansas Health Care Stabilization Fund Board of Governors (Board) would be submitted to the Health Care Stabilization Fund Oversight Committee and require the reporting of the fund balance at the end of the fiscal year.

The bill would make technical changes necessary when a bill carries over from a previous legislative session. The bill would delete internal references amended during the 2017 Legislative Session that need no further corrections and would delete sections that were amended but not corrected during the previous session and reinsert those sections as corrected. The bill also would make other grammatical, formatting, and date reference changes, all of which are technical in nature.

Additionally, the bill would update statutory references related to the Kansas Department for Aging and Disability Services (KDADS) and the Kansas Department for Children

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and Families (DCF) in accordance with 2012 Executive Reorganization Order No. 41. The bill would make conforming and technical amendments to law.

Conference Committee Action

The Conference Committee agreed to amend provisions of SB 217, as amended by the House Committee on Health and Human Services, by reinserting the due date of October 1 for the submission of the annual report of the Board to the Health Care Stabilization Fund Oversight Committee. The Conference Committee further agreed to insert the contents of Senate Sub. for HB 2028, as amended by the Senate Committee of the Whole, into SB 217.

Background

SB 217 (Updating Statutory References in Accordance with Enacted 2016 SB 449)

In the 2017 Senate Committee on Public Health and Welfare hearing, an assistant revisor provided information about technical updates in the bill, referenced as a trailer bill to 2016 SB 449. No other testimony was provided.

SB 449 (2016) continued the updating of statutes related to responsibilities transferred to KDADS under 2012 Executive Reorganization Order No. 41.

The Senate Committee adopted an amendment to replace the term “mentally retarded and other handicapped persons” in statute with “individuals with intellectual or other disabilities.” [Note: The Conference Committee retained this amendment.]

In the House Committee on Health and Human Services hearing, representatives of the Board and KDADS testified in

support of the bill. The KDADS representative stated the bill would update statutory language and references and provide a more appropriate reference to individuals with intellectual or other disabilities. The Board representative offered amendments to clarify to whom the Board's annual report should be submitted, remove the due date for the submission of the report, and require the reporting of the fund balance at the end of the fiscal year. No neutral or opponent testimony was provided.

The House Committee adopted technical amendments suggested by staff of the Office of Revisor of Statutes and amendments requested by the Board to clarify to whom the Board's annual report would be submitted, remove the due date for submission of the report, and require reporting of the fund balance. [Note: The Conference Committee did not retain the amendment removing the due date for submission of the report; all other House Committee amendments were retained.]

According to the fiscal note prepared by the Division of the Budget on SB 217, as introduced, enactment of the bill would have no fiscal effect.

Senate Sub. for HB 2028 (Updating Statutory References in Accordance with 2012 Executive Reorganization Order No. 41)

The Senate Committee on Public Health and Welfare removed the contents of HB 2028 (during the 2017 Session, the contents were inserted into HB 2025 and subsequently enacted), inserted the contents of SB 451, as introduced, and adopted a substitute bill.

SB 451

SB 451 was introduced in the Senate Committee on Ways and Means at the request of Senator Schmidt. In the

Senate Committee on Public Health and Welfare hearing, a Committee Revisor provided an overview of the bill and stated the bill is technical in nature. No other testimony was provided.

The Senate Committee of the Whole adopted a technical amendment. [Note: The Conference Committee retained this amendment.]

According to the fiscal note prepared by the Division of the Budget on SB 451, DCF and KDADS indicate enactment of the bill would have no fiscal effect on agency operations.

statutory references; Health Care Stabilization Fund Board of Governors; Executive Reorganization Order No. 41

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