

SENATE BILL No. 195

By Committee on Ways and Means

2-14

1 AN ACT concerning the Kansas program of medical assistance;
2 establishing a suspended eligibility status for recipients; relating to
3 notification by the Kansas department of aging and disability services,
4 the department of corrections and county sheriffs.

5
6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) (1) The department of health and environment shall
8 establish a suspended eligibility status for recipients of state medicaid
9 services under the Kansas program of medical assistance and shall classify
10 a recipient as suspended from eligibility pursuant to this section. For any
11 recipient who may be classified as suspended from eligibility pursuant to
12 this section, the department of health and environment shall retain all
13 records relating to the recipient and shall not terminate the recipient's
14 eligibility for state medicaid services.

15 (2) Upon receipt of notice that a recipient's eligibility status should be
16 reinstated pursuant to this section, the department of health and
17 environment shall expedite reinstatement of the recipient's eligibility for
18 state medicaid services. The department of health and environment shall
19 not require such a recipient to begin the eligibility application process
20 anew for state medicaid services.

21 (3) Suspended eligibility status granted pursuant to this section shall
22 not entitle a recipient to coverage for state medicaid services during the
23 period of time for which the recipient is deemed to have suspended
24 eligibility. Nothing in this section shall be construed to prevent the
25 department of health and environment from granting eligibility for state
26 medicaid services during any period of time for which a recipient may
27 receive reimbursement for state medicaid services.

28 (b) A recipient of state medicaid services under the Kansas program
29 of medical assistance shall be granted suspended eligibility status upon:

30 (1) Admission to Larned state hospital, Osawatomie state hospital,
31 Rainbow mental health facility, or any successor entity operated by a non-
32 state entity upon the Rainbow mental health facility premises, Kansas
33 neurological institute or Parsons state hospital and training center;

34 (2) admission to a hospital, nursing facility or other institution with a
35 capacity of more than 16 beds that is primarily engaged in providing
36 diagnosis, treatment or care, including medical attention, nursing care and

1 related services, of persons with mental diseases; or

2 (3) incarceration in any correctional facility or jail or placement in
3 any juvenile correctional facility.

4 (c) (1) When an individual is admitted to Larned state hospital,
5 Osawatomie state hospital, Rainbow mental health facility, or any
6 successor entity operated by a non-state entity upon the Rainbow mental
7 health facility premises, Kansas neurological institute, Parsons state
8 hospital and training center or any hospital, nursing facility or other
9 institution with a capacity of more than 16 beds that is primarily engaged
10 in providing diagnosis, treatment or care of persons with mental diseases,
11 including medical attention, nursing care and related services, the Kansas
12 department for aging and disability services shall determine whether such
13 individual is a recipient of state medicaid services under the Kansas
14 program of medical assistance. Upon determination that an individual is
15 such a recipient, the facility or the Kansas department for aging and
16 disability services shall notify the department of health and environment
17 that such individual should be suspended from eligibility for state
18 medicaid services.

19 (2) When a recipient is discharged from any facility described in this
20 subsection, the Kansas department for aging and disability services shall
21 notify the department of health and environment that such recipient should
22 be deemed eligible for state medicaid services.

23 (3) The secretary for aging and disability services shall adopt rules
24 and regulations as may be necessary to implement and administer the
25 provisions of this subsection prior to January 1, 2018.

26 (d) (1) When an individual is incarcerated in any correctional facility
27 or placed in any juvenile correctional facility, the department of
28 corrections shall determine whether such individual is a recipient of state
29 medicaid services under the Kansas program of medical assistance. Upon
30 determination that an individual is such a recipient, the department of
31 corrections shall notify the department of health and environment that such
32 individual should be suspended from eligibility for state medicaid services.

33 (2) When a recipient is released from any facility described in this
34 subsection, the department of corrections shall notify the department of
35 health and environment that such recipient should be deemed eligible for
36 state medicaid services.

37 (3) The secretary of corrections shall adopt rules and regulations as
38 may be necessary to implement and administer the provisions of this
39 subsection prior to January 1, 2018.

40 (e) (1) When an individual is incarcerated in a jail, the sheriff
41 operating the jail shall determine whether such individual is a recipient of
42 state medicaid services under the Kansas program of medical assistance.
43 Upon determination that an individual is such a recipient, the sheriff shall

1 notify the department of health and environment that such individual
2 should be suspended from eligibility for state medicaid services.

3 (2) When a recipient is released from any facility described in this
4 subsection, the sheriff shall notify the department of health and
5 environment that such recipient should be deemed eligible for state
6 medicaid services.

7 (f) The secretary of health and environment shall adopt rules and
8 regulations as may be necessary to implement and administer the
9 provisions of this section prior to January 1, 2018.

10 Sec. 2. This act shall take effect and be in force from and after its
11 publication in the statute book.