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JASON PROBST
102ND DISTRICT

The Honorable Jene Vickrey, Chairperson
House Committee on Insurance
State Capitol, Room 212-N
Topeka, KS 66612

Subject: HB 2074

Dear Rep. Vickrey and members of the Insurance Committee,

Thank you for the opportunity to submit testimony on HB2074.

When I first began to examine Kansas' protections on pre-existing conditions, I wrongly assumed that Kansas had few, if any, state-level measures that would assure residents could secure health insurance, and receive the coverage they need. In the course of my efforts on this legislation, I learned that Kansas indeed has such protections that would serve our residents should federal level protections fail – but those are limited to large and small group insurance policies. Individual policies, however, were not covered by such provisions.

This bill simply codifies Kansas law across all types of health insurance in the state. Should the committee approve this legislation, the state-level protections that exist will be extended across all types of health insurance, creating consistency and predictability in Kansas statute for those residents who have pre-existing conditions.

There's a very good likelihood that every member of this committee has a pre-existing condition. I certainly do. As does my mother, my siblings, my children, and most of the people I know. I sometimes jokingly tell people if they don't have a pre-existing condition, they simply haven't lived long enough. From the day we are born, we all begin our journey toward a pre-existing condition designation.

With the uncertainty surrounding federal protections of such conditions, it seemed to me ensuring those protections at the state level was the least we as a governing body could do for our residents. The legislation doesn't require insurance companies to do anything more than they are doing at this moment; it simply ensures that should the pre-existing conditions protections at the federal level fail, we will continue to protect the health and wellbeing of Kansas residents through the action of a more responsive, and I might argue more compassionate, legislative body.

I believe the committee will find this legislation isn't over reaching or onerous in any way. It doesn't reach any further than current law for other types of insurance. I've deliberately omitted some of the elements – such as price controls – that I personally would've liked to have included in this legislation. However, recognizing the value of measured progress, this bill opts instead for a very small step forward to create consistency across types of insurance.

In the spirit of transparency and full disclosure, I will admit that part of my motivation for this legislation is deeply personal. My son was diagnosed with Type I diabetes at the age of 12. He is 21 now, but his very life is dependent on the ability to access critical medical care, including insulin and the related delivery mechanisms. This is his pre-existing condition and without access to adequate health coverage, he, nor our family, would very likely be able to afford the medicine he needs to live. While I certainly don't expect this committee to approve legislation based on one person or one family's story, I would ask that you pause to consider your own family and friends. I'll be surprised if you can't think of a similar story affecting someone you know and love.

Thank you for your time and consideration, and I ask that you'll report HB2074 favorable for passage.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Probst", with a long horizontal line extending to the right.

Rep. Jason Probst