

March 7, 2014

REVISED

The Honorable David Crum, Chairperson
House Committee on Health and Human Services
Statehouse, Room 512-N
Topeka, Kansas 66612

Dear Representative Crum:

SUBJECT: Revised Fiscal Note for HB 2376 by House Committee on Taxation

In accordance with KSA 75-3715a, the following revised fiscal note concerning HB 2376 is respectfully submitted to your committee.

HB 2376 would enact the Kansas Apology and Disclosure of Unanticipated Medical Outcomes and Medical Errors Act. The bill would require medical care facilities to design and implement policies for disclosing unanticipated outcomes and medical errors to affected patients or patients' family members or representatives. The bill would also require both medical care facilities and health care providers, as those terms are defined in the bill, to disclose unanticipated outcomes and medical errors, but only medical care facilities would be required to develop formal disclosure policies. The bill would require that disclosures to patients or families or representatives of patients include at least the following:

1. A statement that an unanticipated outcome or medical error occurred;
2. An explanation of the cause, facts or context of the event;
3. An acknowledgment of harm and an apology when appropriate;
4. An explanation of the impact on the patient's treatment plans and health status;
5. An explanation of the investigation that has occurred or will take place; and
6. An offer of support services, as needed.

The passage of HB 2376 would have no fiscal effect on the Kansas Insurance Department or the Kansas Department for Aging and Disability Services. The Kansas Department of Health

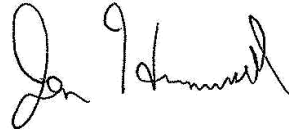
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and Environment now indicates that the fiscal effect of HB 2376 would be negligible. The agency had not previously reported what the fiscal effect would be.

Sincerely,

A handwritten signature in black ink, appearing to read "Jon Hummell". The signature is written in a cursive style with a large initial "J" and a distinct "H".

Jon Hummell,
Interim Director of the Budget

cc: Aaron Dunkel, KDHE
Brad Ridlay, Aging & Disability Services
Zac Anshutz, Insurance
Chip Wheelen, Health Care Stabilization Fund