

February 13, 2023

The Honorable Beverly Gossage, Chairperson  
Senate Committee on Public Health and Welfare  
300 SW 10th Avenue, Room 142-S  
Topeka, Kansas 66612

Dear Senator Gossage:

**SUBJECT:** Fiscal Note for SB 139 by Senators Sykes and Blasi

In accordance with KSA 75-3715a, the following fiscal note concerning SB 139 is respectfully submitted to your committee.

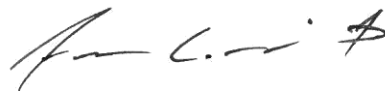
SB 139 would specify that provisions related to newborn screening contained in KSA 65-180 through 65-183 would be known as the “Newborn Screening Act” and would establish an advance universal newborn screening program to be administered by the Secretary of Health and Environment. The bill would remove specific conditions listed throughout current sections and instead reference a single section of the bill that would state that the Secretary shall determine the conditions to be included in the newborn screening tests, including, but not limited to, conditions listed in the recommended uniform screening panel recommended by the United States Secretary of Health and Human Services as determined by the agency to provide more appropriate newborn screening guidelines to protect the health and welfare of newborns for treatable conditions.

The bill would remove current provisions related to the reimbursement of medically necessary food treatment products and specify this reimbursement would be in accordance with rules and regulations adopted by the Secretary. The bill would change the limitation on the annual transfer to the Kansas Newborn Screening Fund from \$2,500,000 to \$5,000,000.

According to the Kansas Department of Health and Environment, funds transferred to the Kansas Newborn Screening Fund are based on actual expenditures and the agency estimates that reaching the maximum limitation of \$5,000,000 would occur over time. The limitation has been changed from \$2,500,000 to \$5,000,000 through the appropriations bill since FY 2021. The agency reports a three-year average of expenditures of \$3.2 million for newborn screening for FY 2020 through FY 2022. Expenditures are estimated to continue to increase due to program growth over time, increased costs, and testing for new conditions.

The increased transfer limitation does not affect overall state revenues but would decrease the amount available for use in the Medical Assistance Fee Fund depending on how much the actual transfer was increased. The increase on the limitation of the transfer to the Kansas Newborn Screening Fund to \$5,000,000 included in SB 139 is reflected in *The FY 2024 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt  
Director of the Budget

cc: Amy Penrod, Department of Health & Environment