

February 10, 2017

The Honorable Daniel Hawkins, Chairperson
House Committee on Health and Human Services
Statehouse, Room 521-E
Topeka, Kansas 66612

Dear Representative Hawkins:

SUBJECT: Fiscal Note for HB 2254 by House Committee on Health and Human Services

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2254 is respectfully submitted to your committee.

HB 2254 pertains to the practice of telehealth by persons licensed to practice medicine, surgery, and osteopathic medicine in the State of Kansas. The bill defines telehealth as the delivery of health care services by means of telecommunications services that facilitate the assessment, diagnosis, consultation, treatment, education, care management, and self-management of a patient's health care while the patient is at an originating site and the physician is at a distant site. The bill would require physicians providing telehealth services to obtain consent for treatment from patients, other than inmates in a correctional facility, and to properly establish a physician-patient relationship. Conditions for establishing a telehealth physician-patient relationship are included in the bill.

HB 2254 would require the Kansas State Board of Healing Arts to maintain consistent licensure and certification standards and standards of care requirements between in-person and telemedicine and telehealth provided practices. The Board of Healing Arts could not establish a standard of professional practice for telehealth that is more restrictive than that specifically authorized by the Physician's Practice Act. The Board of Healing Arts would promulgate rules and regulations necessary to administer the provisions of the bill.

The Board of Healing Arts indicates that because agency staff is currently at full workload capacity, contracted legal counsel would be required to research and draft new rules and regulations. The Board of Healing Arts estimates the need for 130 hours of work at a cost of

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\$200 per hour, or \$26,000. The Board of Healing Arts also estimates publication costs of \$420 for publishing proposed and adopted regulations in the *Kansas Register*. Any fiscal effect associated with HB 2254 is not reflected in *The FY 2018 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Cathy Brown, Board of Healing Arts