

January 24, 2024

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 352 by Senate Committee on Public Health and Welfare

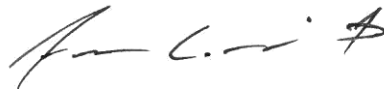
In accordance with KSA 75-3715a, the following fiscal note concerning SB 352 is respectfully submitted to your committee.

SB 352 would create the John D. Springer's Patient's Bill of Rights. The bill would make definitions and establish requirements for in-person visitation in certain circumstances at medical care facilities as defined in KSA 65-425. Facilities would be required to establish or revise visitation policies and procedures that comply with the provisions of the bill prior to September 1, 2024. The Department of Health and Environment would be required to provide information on the agency's website that explains the requirements of the bill with a link to report complaints against medical care facilities alleging violations. The bill would also list specific rights for patients being cared for in medical care facilities. Medical care facilities would receive immunity in certain situations and damages for actions brought for violations of bill provisions would be specified as actual damages or \$25,000, whichever is greater, and the cost of the suit.

According to the Kansas Department of Health and Environment and the Kansas Department for Aging and Disability Services (KDADS), enactment of SB 252 would not have a fiscal effect on the operations of either agency. The Office of Judicial Administration states enactment of SB 352 could increase the number of cases filed in district courts because it allows for civil actions to be filed. This could result in more time spent by court employees and judges processing, researching, and hearing these cases. The Office estimates enactment of the bill could result in the collection of docket fees and fines assessed in those cases filed under the bill's provisions, which would be deposited to the State General Fund, the bill would not affect other

revenues to the Judicial Branch. According to the Office, a fiscal effect cannot be estimated. Any fiscal effect associated with SB 352 is not reflected in *The FY 2025 Governor's Budget Report*.

Sincerely,

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

Adam C. Proffitt
Director of the Budget

cc: Trisha Morrow, Judiciary
Amy Penrod, Department of Health & Environment
Leigh Keck, Department for Aging & Disability Services