

COVID-19; Extension of Provisions Regarding Telemedicine, Temporary Licensure, and Immunity; SB 283

SB 283 amends law regarding the governmental response to the COVID-19 pandemic in Kansas. The bill takes effect upon publication in the *Kansas Register*.

Telemedicine

In the statute authorizing the use of telemedicine, the bill amends a provision allowing an out-of-state physician to practice telemedicine to treat Kansas patients, to replace a requirement that such physician notify the State Board of Healing Arts (Board) and meet certain conditions with a requirement the physician hold a temporary emergency license granted by the Board. The expiration date of this section is extended for one year, from March 31, 2021, until March 31, 2022.

Temporary Licensure

The bill amends a statute allowing the Board to grant temporary emergency licenses to practice the professions overseen by the Board to add a provision allowing an applicant to practice in Kansas pursuant to such license upon submission of a non-resident health care provider certification form to the Kansas Health Care Stabilization Fund and without paying the annual premium surcharge required by the Health Care Provider Insurance Availability Act. The bill also extends the expiration of this statute for one year, from March 31, 2021, until March 31, 2022.

Amendments to COVID-19 Response and Reopening for Business Liability Protection Act

Business Immunity Extension

The bill amends the COVID-19 Response and Reopening for Business Liability Protection Act (Act) to extend the expiration date of the statute governing COVID-19 claim immunity for persons or agents of persons conducting business in the state by one year, until March 31, 2022.

Health Care Provider Immunity

The bill amends a statute in the Act regarding immunity for health care providers related to COVID-19 to specify such immunity applies to claims arising between March 12, 2020, and March 31, 2022, and removes references to a declared state of disaster emergency.

Retroactivity

The bill amends a statute regarding retroactivity of causes of action arising under the Act to specify the provisions related to health care provider immunity apply retroactively to any

cause of action accruing on or after March 12, 2020, and prior to March 31, 2022, rather than applying retroactively on or after March 12, 2020, and prior to termination of the state of disaster emergency related to COVID-19.

Expiration of Other Provisions

The bill amends a statute regarding hospital facility usage for COVID-19 purposes to change its expiration to March 31, 2022, from 120 calendar days after the expiration or termination of the COVID-19 state of disaster emergency proclamation.

The bill amends a provision regarding critical access hospital bed limits to extend its expiration from June 30, 2021, until March 31, 2022.