



The Final Days

The General Assembly was in session for two days this week. Tuesday, the 56th legislative day, proved to be a typical late session legislative day with a number of committee meetings in the morning and both the House and Senate convening in session in the early afternoon. The 57th legislative day on Thursday also began with a series of morning legislative meetings, but the day quickly turned when a pension reform proposal was unveiled at a special meeting of the House State Government Committee. The introduction of this proposal set off hours of acrimonious debate in committee and in both chambers of the legislature that continued until after 10:00 p.m.

Pension Reform

The most talked about issue of the last six months took bill form as the House Committee Substitute to [SB 151](#), a bill originally dealing with wastewater treatment. The original provisions of SB 151 were removed and replaced with a scaled back version of SB 1, which does not include the most controversial measures that teachers and others had raised over the past several weeks. Minority party members objected to the lack of notice and input, raised procedural objections and attacked the substantive provisions of the proposed pension reform. However, the modified version of SB 151 was taken immediately to the House floor for a vote. The committee vote was followed by four hours of impassioned debate in the House, floor speeches and several procedural votes before the bill was adopted 49-46 largely along party lines. The scene then shifted to the Senate where there was a replay of the debate and controversy spanning about another three hours prior to final passage of SB 151 by a vote of 22 to 15. The bill was then delivered to the Governor.

What had been a few dozen protesters, mainly teachers and retirees, when the debate began in the afternoon grew to several hundred as the Senate passage took place. The teachers expressed their displeasure vocally and, according to news reports, more than 26 districts across the state closed on Friday due to teachers' absences, including the state's two largest districts of Jefferson and Fayette counties.

Budget Discussions

After days of meeting and deliberating, it is our understanding that the conference committee on the budget and revenue bills reached an agreement late Friday into early Saturday morning. The conference committee, made up of House and Senate leadership, has not met publicly since early last week but spent hours meeting in private in order to negotiate differences. It appears that passage of the pension reform legislation

was a piece of the larger puzzle and helped pave the way for agreements on revenue and the spending plan. As of this writing, details of the agreement were not available. We will send an additional update as soon as the information is available.

Schedule

Things are a little fluid relative to the schedule. The General Assembly will convene on Monday, April 2 when we expect action will be taken on HB 200 and HB 366, the budget and revenue bills agreed to over the weekend. These bills must be passed on Monday if the legislature is to retain its ability to override any gubernatorial vetoes. If so, then the final day of the session would need to be held on Saturday, April 14, not April 13 as it is scheduled currently. The 2018 Session calendar is available [HERE](#), but it has not been updated yet to reflect the potential schedule discussed above.

In activity on priority legislation during the week:

- Sen. McDaniel's [SB 4](#), a proposed amendment to the state constitution to change the election of statewide offices to even numbered years beginning in 2024, received its second reading and is in House Rules.
- Rep. Meade's [HB 1](#), an omnibus reform of child welfare laws, has been posted for passage in the Senate's orders for April 2. Also posted for passage on Tuesday is Rep. Shell's essential skills school curriculum bill.
- [HB 2](#), Rep. Koenig's workers' compensation reform bill was delivered to and has been signed by the Governor.

KPCA Report

All the activity on legislation of interest on healthcare legislation took place in the chambers this week as neither the House nor the Senate committee met.

Legislative action of note included the final passage of [HB 444](#) (Rep. Benvenuti) which was passed by the Senate and has now been delivered to the Governor. The bill is a Cabinet for Health and Family Services priority which exempts several health facilities from licensure and CON requirements. Another House bill, [HB 497](#) (Rep. Elliott) to include physician assistants in the definition of "qualified mental health professional" passed the Senate and has been returned to the House for concurrence. Sen. Adams' [SB 250](#) to require testing for Hepatitis C of all pregnant women received final passage and has been delivered to the Governor.

Two significant Senate bills, [SB 5](#) (Sen. Wise) and [SB 112](#) (Sen. Alvarado) failed to move during the week. SB 5 has been passed over in the Senate and retained for concurrence in House amendments that deleted the carve out for pharmacy benefits in the Medicaid Program and changed the bill into a PBM transparency measure. SB 112, omnibus changes to telehealth regulation, remains in the House regular orders, following filing of a floor amendment to delete mandated reimbursement requirements.

Other healthcare bills of significance and their status in the process are as follows:

SB 95/FN/HM	A. Kerr	Mandated health coverage for medically necessary fertility preservation services for certain cancer patients	Mar 27, 2018 - 2nd reading, to Rules
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SB 96	A. Kerr	CHFS housekeeping bill	Mar 29, 2018 - Delivered to Governor
SB 123	R. Stivers II	Limit nursing facility beds approved by the state health plan.	Mar 29, 2018 - Delivered to Governor
SB 132	J. Adams	Reorganization of KY Access and KY Health Benefit Exchange	Mar 29, 2018 - Delivered to Governor
SB 134	T. Buford	Relating to permits for certified professional midwives.	Mar 27, 2018 - passed 29-8 with Committee Substitute (1); received in House
SB 149	J. Adams	Establish the Palliative Care Interdisciplinary Advisory Council within CHFS	Mar 29, 2018 - taken from the Consent Orders of the Day, placed in the Regular Orders of the Day (H)
SB 154	R. Alvarado	Right to Shop health care transparency.	Mar 29, 2018 - passed 25-11 with Committee Substitute & floor amendment (1); received in House
HB 69	K. Fleming	Amends credentialing and medical necessity determinations by managed care networks	Mar 22, 2018 - Delivered to Governor
HB 124	A. Wuchner	Requires enhanced evidence based standards and criteria for substance use disorder treatment and recovery services	Mar 22, 2018 - Delivered to Governor
HB 246	D. Bentley	Establish a pilot program to create a community pharmacy care delivery model for medication-assisted therapy for treatment of substance abuse.	Mar 29, 2018 - Delivered to Governor
HB 463	M. Meredith	Health plan and PBM reimbursement of pharmacy benefits.	Mar 29, 2018 - Delivered to Governor