

# STATE OF KANSAS

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**GOVERNOR LAURA KELLY**

## **EXECUTIVE ORDER NO. 19-10**

Establishing the Governor's Council on Medicaid Expansion

**WHEREAS**, the future of Kansas depends on strong, healthy communities;

**WHEREAS**, life expectancy in Kansas has fallen below the national average, with the 7<sup>th</sup> highest rate of cervical cancer; 8<sup>th</sup> highest rate of death by diabetes, and 11<sup>th</sup> highest rate of non-elderly adults with pre-existing medical conditions;

**WHEREAS**, based on the latest estimates from the U.S. Census Bureau, 201,275, or 12%, of non-elderly Kansas adults went without health insurance in 2017;

**WHEREAS**, studies show that access to health insurance improves affordability of medical care, increases access to prescription drugs, and improves the likelihood of seeking preventative care so that chronic conditions can be diagnosed earlier and treated more effectively;

**WHEREAS**, rural hospitals in non-expansion states, such as Kansas, are six times more likely to close than rural hospitals in states that have expanded Medicaid;

**WHEREAS**, Medicaid expansion is associated with decreases in mortality for all causes, reduced reliance on emergency room care, and improvements in infant mortality, cancer screenings, and vaccinations;

**WHEREAS**, nearly one-third of uninsured Kansans who would qualify for Medicaid expansion experienced mental illness or substance abuse disorder within the last year, but less than 14% received treatment, largely due to lack of access to affordable care; and

**WHEREAS**, Kansas will forego more than \$2 billion in business activity and \$1.2 billion in gross state product through the end of this decade by not expanding Medicaid; and

**WHEREAS**, expanding Medicaid has proven to create jobs, boost state economies, strengthen state budgets, and protect rural hospitals;

**WHEREAS**, Kansas is uniquely positioned to benefit from lessons learned by the 36 other states that have already implemented expansion, submitted a Section 1115 Waiver to CMS, or are in the process of doing so;

**WHEREAS**, it is critical that elected leaders and stakeholders understand the differing approaches of other expansion states in order to adopt best practices and avoid the risky, financially devastating experiments that damaged Medicaid expansion efforts elsewhere; and

**WHEREAS**, upholding values of transparency, inclusion, and accountability between legislators, healthcare stakeholders, industry executives, advocates, health policy experts, and our broader Kansas community will aid in the development of a successful, efficient plan to expand Medicaid in Kansas in 2020.

**NOW, THEREFORE**, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby establish the Governor’s Council on Medicaid Expansion (“Council”):

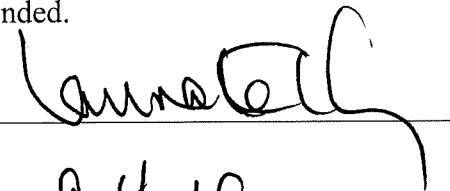
1. The Governor shall appoint the following to serve as members of the Council:
  - a. One representative from each of the following agencies, organizations, or constituencies:
    - i. Kansas Department of Health and Environment
    - ii. Kansas Hospital Association
    - iii. Community Care Network of Kansas
    - iv. Association of Community Mental Health Centers
    - v. Kansas Medical Society
  - b. At least one representative from a managed care organization.
  - c. At least one representative from the business community.
  - d. At least one representative of a community health foundation.
  - e. Representatives or members of non-profit organizations who have expertise in areas that could assist in advancing the goals, strategies, and operations of the Council.
  - f. Additional individuals the Governor determines have relevant experience or qualifications.
2. The Governor shall invite twelve legislators—including both Democrats and Republicans of both the Senate and House—to participate in the Council.
3. The Governor shall select an independent meeting facilitator to establish rules for the Council’s meetings and conduct of business.
4. Members shall receive no compensation or reimbursements for expenses and shall serve voluntarily. Officers or employees of state agencies who are appointed to the Council as part of their duties shall be authorized to participate on the Council and may claim subsistence, allowance, mileage, or associated expenses from their respective agency budgets as permitted by law.
5. The Council shall be subject to the Kansas Open Records Act and the Kansas Open Meetings Act.

6. Plans, reports, or recommendations of any nature adopted by the Council shall be considered advice to the Governor, and shall not be construed as official policies, positions, or interpretations of laws, rules, or regulations by any department or agency of state government, nor shall any such department or agency be bound in any manner to consider such advice when conducting their advisory and regulatory affairs.
7. The Council may:
  - a. publicly convene nonpartisan health policy experts to analyze and discuss other state models for Medicaid expansion,
  - b. inform and advise the Governor on the most common or effective models of Medicaid expansion in other states and on whether and how those models can be successfully applied and implemented in Kansas, or
  - c. using the most updated data available, identify three to five broad guideposts or goals for a Kansas Medicaid expansion plan to aid legislators and the public in the development of a proposal for the 2020 legislative session.
8. The Council shall be facilitated by the National Governors Association with staffing assistance from other state employees, experts, or organizations as appropriate.
9. The Council shall meet at least three times before January 2020 and otherwise as often as the facilitator determines necessary.
10. The Council shall submit a report in December 2019 detailing its work and recommendations as described above.

This document shall be filed with the Secretary of State as Executive Order No. 19-10. It shall become effective immediately and remain in force until rescinded.

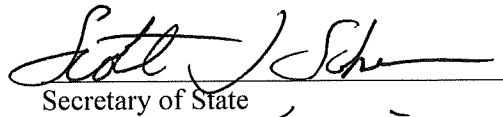
THE GOVERNOR'S OFFICE

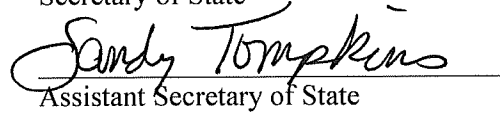
BY THE GOVERNOR



DATED 9.4.19

**FILED**  
 SEP 04 2019  
 SCOTT SCHWAB  
 SECRETARY OF STATE

  
 Secretary of State

  
 Assistant Secretary of State