Notice of Hearing on Proposed Amendments to Administrative Regulations

The Kansas Board of Regents will conduct a public hearing to consider the amendment of K.A.R. 88-30-1, and K.A.R. 88-30-2. The hearing will be held at 1:00 p.m. on August 18, 2020, in the Kansas Board of Regents Boardroom, 1000 SW Jackson St., Suite 520, Topeka, KS 66612.

This 60-day notice of the public hearing shall constitute a public comment period for receiving written public comments on the proposed amendments to the regulations. All interested parties may submit comments prior to the hearing to Renee Burlingham at the Kansas Board of Regents’ above address at (785) 430-4239 or via email to rburlingham@ksbor.org. All interested parties will be given a reasonable opportunity to present their views orally on the proposed amendments to the regulations during the hearing. To provide all parties with an opportunity to present their views, it may be necessary to request each participant limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Renee Burlingham through the contact information listed above. Individuals with hearing and/or speech disabilities may contact the Kansas Relay Center at 800-766-3777 for communication accommodations.

Copies of the proposed regulations and the economic impact statement may be found at http://www.kansasregents.org/about/rules-regulations or by contacting Renee Burlingham.

A summary of the proposed regulations and the economic impact statements for the regulations follows: K.A.R. 88-30-1 defines terms that are used in the Board’s student health insurance regulations and currently defines a “student” who would be eligible for coverage under the Board’s plans to exclude any student who is enrolled in only online/distance education courses. With the COVID-19 stay-at-home orders and the need to avoid group activities, the six state universities have suspended in-person classes and at this time there is no certainty as to when those in-person classes might resume or what they might look like. The Board is therefore seeking to amend the definition to allow continued coverage for students who wish to take advantage of the Board’s plans. The proposed amendment to K.A.R. 88-30-1 would suspend the eligibility requirement that students not be entirely online or receive instruction by distance education only, beginning with the upcoming plan year, August 1, 2020, during any semester when the institution at which the student is enrolled has eliminated or substantially restricted in-person class options. The amendment has been limited to apply only during such times, thus minimizing the cost and impact of the amendment. There will be no economic impact on other public agencies or private businesses as a result of this regulation and the regulation will neither enhance or restrict business activities and growth.

A temporary version of this amendment is also being sought to cover the period between August 1 and the effective date of this permanent amendment.
K.A.R. 88-30-2 currently allows students to elect coverage for student only, student/spouse, student/dependents, or student/spouse/dependents. The proposed amendment would allow the Board of Regents the flexibility to determine for any plan year whether to offer dependent coverage or not, based on what makes the most sense for the continued viability of the plan. If such coverage is offered, students would be able to elect it; if such coverage is not offered, students would not be able to elect it. The only businesses, sectors, public utility ratepayers, individual, or local governments that would be affected by the proposed rule and regulation are the student health insurance provider and possibly other providers that might pick up the dependent coverage, students (and their dependents) who choose to elect coverage under the plan, and the state universities, which pay a percentage of the student-only coverage for eligible graduate students. The impact could be positive or negative, depending on a variety of variables. There will be no economic impact on other public agencies or private businesses as a result of this regulation and the regulation will neither enhance or restrict business activities and growth other than as discussed previously.