



Kari M. Bruffett, Secretary

Sam Brownback, Governor

To: Senate Judiciary Committee

From: Lea Taylor, Assistant Secretary

Date: February 10, 2015

Subject: *SB 39, Updating statutory references and making corresponding changes due to 2012 E.R.O. No. 41*

Chairman King and members of the Committee:

I appreciate the opportunity to present testimony in support of SB 39. Since the Kansas Department for Aging and Disability Services was established on July 1, 2012 through an Executive Reorganization Order (ERO) issued by Governor Sam Brownback, we have been working actively with the Legislature to clean up statutes to reflect the changes and align them with current agency responsibilities. It is imperative that these statutory references be correct in order to provide as much clarity to agencies, stakeholders, and lawmakers who are referencing them when implementing programs and crafting legislation.

While KDADS supports this legislation, we have a couple of changes we would like to see made within the language of the bill. Specifically,

On p.21, line 4 of SB39: *KDADS should be added into the amended definition of “Agency” in Sec. 7 which amends K.S.A. 2014 Supp. 39-1702(b).*

The definition of “Agency” presently includes CMHCs and community facilities for people with intellectual or developmental disabilities (both of which are now within KDADS’ delegated regulatory responsibilities (see K.S.A. 75-3307b)). K.S.A. 39-1702(b) is part of the Interagency provision of services for children, adolescents and families act found at K.S.A. 39-1701 *et seq.* The purpose of the act is specified as follows: “It is the purpose and intention of this act to provide for regional interagency councils which will collaborate in the provision of services for children and adolescents in this state who require multiple levels and kinds of specialized services which are beyond the capability of one agency.”

On p.29, line 18 of SB39: *The reference to commissioner of mental health and retardation should be replaced with commissioner of community services and programs as previous 2014 legislation abolished the commissioner of mental health and retardation.*

The commissioner of community services and programs replaced the commissioner of mental health and retardation when K.S.A. 75-5308e was amended in 2014 therefore the reference to the prior position appearing at line 29 is inaccurate.

We appreciate the Committee considering our concerns and suggested changes.