

HOUSE BILL No. 2388

By Representatives Gordon, Bethell, Brown, Burgess, Burroughs, Carlin, Colloton, Crow, Dahl, Faust-Goudeau, Feuerborn, Flaharty, Gatewood, Grant, Henry, Horst, Huntington, Kelsey, Kiegerl, Kinzer, Lane, Lukert, Mah, McLachlan, Merrick, Jim Morrison, Judy Morrison, Olson, Owens, Pottorff, Sharp, Siegfried, Sloan, Spalding, Storm, Tapanelli, Williams, Winn and Worley

2-5

14 AN ACT concerning the state long-term care ombudsman; amending
15 K.S.A. 2006 Supp. 75-7301 and repealing the existing section.
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18 *Be it enacted by the Legislature of the State of Kansas:*

19 New Section 1. (a) The ombudsman shall adopt and implement any
20 policies the ombudsman deems necessary to recruit and train a number
21 of volunteer ombudsmen sufficient to provide the services of at least one
22 volunteer ombudsman in each area agency on aging planning service area
23 region of the state.

24 (b) The ombudsman may adopt any rules and regulations necessary to
25 implement the provisions of this act.

26 (c) The provisions of this section are a part of and supplemental to the
27 long-term care ombudsman act.

28 Sec. 2. K.S.A. 2006 Supp. 75-7301 is hereby amended to read as
29 follows: 75-7301. (a) The office of the state long-term care ombudsman
30 is hereby attached to the department of administration. The office of the
31 state long-term care ombudsman shall be in Topeka, Kansas. The sec-
32 retary of administration shall provide such technical assistance and advice
33 as the secretary deems reasonable and necessary to assist the state long-
34 term care ombudsman office to function as an independent state agency.
35 The secretary of administration and the department of administration
36 shall have no authority over the state long-term care ombudsman, any
37 regional long-term care ombudsman, any other ombudsman, including
38 any volunteer ombudsman, or any other officer, employee or volunteer
39 of the office of the state long-term care ombudsman with respect to the
40 performance of any power, duty or function of the office or the exercise
41 of any other authority of the office or the state long-term care
42 ombudsman.

43 (b) For the fiscal year ending June 30, 2000, and for each fiscal year

1 thereafter, the secretary of administration shall include the budget esti-
2 mate of the office of the state long-term care ombudsman, as prepared
3 and approved by the state long-term care ombudsman, along with the
4 budget estimate prepared and submitted to the division of the budget for
5 the department of administration under K.S.A. 75-3717 and amendments
6 thereto. The budget estimate of the office of the state long-term care
7 ombudsman for each such fiscal year shall be prepared at the direction
8 and under the supervision of the state long-term care ombudsman. Ex-
9 penditures from appropriations to the department of administration for
10 the office of the state long-term care ombudsman, made pursuant to
11 budget estimates for the office, shall be made on vouchers approved by
12 the state long-term care ombudsman or the state long-term care om-
13 budsman's designee. All vouchers for expenditures and all payrolls of the
14 office of the state long-term care ombudsman shall be approved by the
15 state long-term care ombudsman or the state long-term care ombuds-
16 man's designee.

17 *(c) For the fiscal year ending June 30, 2008, and for each fiscal year*
18 *thereafter, the budget estimate of the state long-term care ombudsman*
19 *shall include funding for the activities of the statewide long-term care*
20 *ombudsman program, including one regional long-term care ombudsman*
21 *for each area agency on aging planning service area region of Kansas and*
22 *a sufficient number of officers and employees for the office of the long-*
23 *term care ombudsman, to provide for the recruiting and training of vol-*
24 *unteer ombudsmen and friendly advocates, to provide the services of the*
25 *statewide long-term care ombudsman program under the provisions of*
26 *the long-term care ombudsman act for all residents of facilities in Kansas*
27 *and to investigate all complaints involving residents of facilities in Kansas*
28 *pursuant to the long-term care ombudsman act.*

29 Sec. 2. K.S.A. 2006 Supp. 75-7301 is hereby repealed.

30 Sec. 3. This act shall take effect and be in force from and after its
31 publication in the statute book.