

MINUTES OF THE SENATE WAYS AND MEANS COMMITTEE

The meeting was called to order by Chairman Jay Emler at 10:30 a.m. on March 17, 2009, in Room 545-N of the Capitol.

All members were present except:

Senator David Wysong - excused

Committee staff present:

Michael Steiner, Kansas Legislative Research Department
Estelle Montgomery, Kansas Legislative Research Department
Christina Butler, Kansas Legislative Research Department
Heather O'Hara, Kansas Legislative Research Department
Jonathan Tang, Kansas Legislative Research Department
Julian Efrid, Kansas Legislative Research Department
Cody Gorges, Kansas Legislative Research Department
Jill Wolters, Office of the Revisor of Statutes
Daniel Yoza, Office of the Revisor of Statutes
Gordon Self, Office of the Revisor of Statutes
Melinda Gaul, Chief of Staff
Shirley Jepson, Committee Assistant

Conferees appearing before the Committee:

Robert Waller, Executive Director, Board of Emergency Medical Services
Mary Blubaugh, Executive Administrator, State Board of Nursing
Sarah Tidwell, Kansas State Nurses Association
Jack Confer, Executive Director, Board of Healing Arts
Doug Wareham, Senior Vice President-Government Relations, Kansas Bankers Association
Jerry Slaughter, Kansas Medical Society
Glenn Deck, Executive Director, Kansas Public Employees Retirement System (KPERS)
Dale Dennis, Deputy Commissioner, Department of Education

Others attending:

See attached list.

Introduction of Proposed Legislation

Senator McGinn moved to introduce legislation concerning Kansas Commission on Rural Policy (9rs0970). The motion was seconded by Senator Teichman. Motion carried on a voice vote.

Senator Kelly moved to introduce legislation concerning unemployment law compliance (9rs0977). The motion was seconded by Senator Lee. Motion carried on a voice vote.

Senator Emler moved to introduce legislation pertaining to school districts and the federal stimulus funds (SCR 1616). The motion was seconded by Senator Teichman. Motion carried on a voice vote.

Confirmation Hearing

Chairman Emler opened the confirmation hearings for reappointments of board members to the Kansas Health Policy Authority Board:

Joe Lee Tilghman, to serve a term of four years which shall expire March 15, 2012 (Attachment 1);
Garen Lorimer Cox, to serve a term of four years which shall expire March 15, 2012 (Attachment 2);
E. J. "Ned" Holland, Jr., to serve a term of four years which shall expire March 15, 2012 (Attachment 3).

Senator Schmidt moved to table the confirmations until March 18, 2009. The motion was seconded by Senator Vratil. Motion carried on a voice vote.

Hearing on HB 2222 - State agencies; collections of fee, licenses, taxes, surcharges, discounts.

CONTINUATION SHEET

Minutes of the Senate Ways and Means Committee at 10:30 a.m. on March 17, 2009, in Room 545-N of the Capitol.

Jill Wolters, Revisor, explained that **HB 2222**, as amended by House Committee, authorizes any state department, agency, commission or authority which is obligated by statute to collect any fees, to impose a surcharge or discount of not to exceed 5.0 percent of the amount of such fees in order to enhance the efficiency of the agency (Attachment 4).

Responding to a question from the Committee, Ms. Wolters stated that the legislation allows any agency to impose a surcharge and state how the increase will enhance their efficiency.

Daniel Yoza, Revisor, explained that the legislation is an attempt to provide a discount or incentive to encourage electronic filing and efficiencies within the agencies.

The hearing on **HB 2222** was closed.

Hearing on SB 308 - State agencies; relating to the 20% administrative fee charged to agencies; cap increased from \$200,000 to \$350,000.

Jill Wolters, Revisor, explained that **SB 308** would increase the cap from \$200,000 to \$350,000 that state agencies pay into the state general fund (SGF) for administrative costs (Attachment 5). Under current law, certain state agencies pay 20.0 percent to the SGF to reimburse the SGF for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services and any and all other state governmental services, which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the SGF to provide such services. Ms. Wolters noted that the fiscal noted on **SB 308** indicates that the SGF would receive an additional \$1.352 million from 11 agencies in FY 2010.

Senator Masterson, Chair of the Subcommittee on Fee Boards, stated that the legislation was offered as a way to minimize the affect of the requested 10.0 percent reduction in agency budgets for FY 2010. Senator Masterson indicated that the \$200,000 cap has been in existence for approximately 40 years, noting that this action was an attempt for government to be more transparent.

Robert Waller, Executive Director, Board of Emergency Medical Services, provided testimony in a neutral position on **SB 308** (Attachment 6). Mr. Waller stated that the EMS Board would like to maintain current operations with no additional reductions to the FY 2010 budget if **SB 308** becomes law. Mr. Waller included an amendment to **SB 308** to ensure legislative intent as it applies to the Kansas Board of Emergency Medical Services operating fund.

Mary Blubaugh, Executive Administrator, State Board of Nursing, appeared before the Committee in opposition to **SB 308** (Attachment 7). Ms. Blubaugh stated that they are a fee-funded agency. It is projected, with enactment of **SB 308**, the balance in the agency's fee fund would be negative.

Sarah Tidwell, Kansas State Nurses Association, presented testimony in opposition to **SB 308** (Attachment 8). Ms. Tidwell stated that increasing the cap only affects those agencies with a large number of licensees with many of the fee funded agencies not reaching the current \$200,000 cap.

Jack Confer, Executive Director, Board of Healing Arts, presented testimony in opposition to **SB 308** (Attachment 9). Mr. Confer noted that the Board of Healing Arts has placed \$3,396,763 through sweeps and transfers into the SGF during the past 10 years. Legislation passed by the 2008 Legislature changed the way the Board of Healing Arts operates and mandated several changes. These changes have placed a financial burden on the agency. Mr. Confer noted that **SB 318** has been introduced to request an increase in fees.

Doug Wareham, Senior Vice President-Government Relations, Kansas Bankers Association, presented testimony in opposition to **SB 308** (Attachment 10). Mr. Wareham questioned the level of services the agencies gets with the \$200,000 provided annually to the SGF.

Jerry Slaughter, Kansas Medical Society, presented testimony in opposition to **SB 308**. Mr. Slaughter stated an interest to further examine the methodology of the funding of fee agencies in the overall state budget process.

CONTINUATION SHEET

Minutes of the Senate Ways and Means Committee at 10:30 a.m. on March 17, 2009, in Room 545-N of the Capitol.

The Subcommittee on the Fee Boards stated that representatives from all of the fee-funded agencies were invited to be present when the Subcommittee had hearings on their budgets and discussed the proposed legislation. At that time, none of the representatives of the fee boards spoke against raising the 20.0 cap on administrative costs from the current \$200,000 to \$350,000 in lieu of a 10.0 percent reduction in their budgets. The Subcommittee voiced concern that it now appears that the agencies do not want the cap raised or a 10.0 reduction in their budgets to comply with the direction of the Legislature in addressing the anticipated deficit in state revenues for FY2010.

The hearing on **SB 308** was closed.

Discussion and Action on SB 196 - KPERS employment after retirement restrictions to apply to retirants employed by a third-party entity.

Julian Efird, Legislative Research Department, explained that **SB 196** was passed out by the Committee on March 4, 2009; however, was re-referred back to the Committee for further deliberations and possible amendment (Attachment 11).

Gordon Self, Revisor, presented a balloon incorporating the proposed amendments to **SB 196** (Attachment 12).

Responding to questions from the Committee, Senator Vratil stated that the amendment is an effort to address problems with the original legislation concerning third party vendors, who are hiring retired teachers, contracting with school districts and avoiding the \$20,000 earnings limitation. This bill would eliminate the \$20,000 salary limit, would retain the requirement on a retiree 62 or older that the school district pays the contribution rate of 15.95 % and would treat retirees under age 62 differently by paying a contribution rate of 19.95 percent. Senator Vratil noted that the second part of the legislation concerns those school districts who are dependent upon hiring retired teachers through a third-party vendor when they are unable to find other available teachers.

Glenn Deck, Executive Director, Kansas Public Employees Retirement System (KPERS), stated that current statute will be continued for those retirees who were first employed by a different school district prior to July 1, 2006, in which no employer contribution rate is required.

Dale Dennis, Deputy Commissioner, Department of Education, responded to a question from the Committee, stating that the number of school districts who offer early retirement incentives is declining each year because of the financial aspect. Mr. Dennis noted that teachers can retire on May 31st after they have completed all of their duties for the year.

The Committee voiced support for providing incentives for school districts to discontinue early retirement incentive program because of the teacher shortage. Mr. Efird noted that there is another set of laws that address the early retirement incentive program and is not addressed in **SB 196**. The Committee also voiced concern on how to enforce provisions of the amendment.

Mr. Self stated that he will provide alternate language in the amendment to address the enforcement issue.

Adjournment

The next meeting is scheduled for March 18, 2009.

The meeting was adjourned at 12:20 p.m.

**SENATE WAYS & MEANS COMMITTEE
GUEST LIST**

DATE: March 17, 2009

NAME	REPRESENTING
Scott Heidner	Graces Braden
Jeral Wright	Ks Credit Union Assn
Dan Morin	KS Medical Society
Jerry Slaughter	" " "
Sarah Tidwell	KSNA
Mary Reuber	KSBW
ADEAN GULLERO	KSBW
Chad Austin	KS Hospital Association
Kate Miller	KERC
Carolyn McElindry	KS St Ws Assn
Haley Davoe	KS Credit Union Assoc.
TERRY HOLDREN	KS FARM BUREAU
TEKKY FOXS YTH	KWER
Tom Rubin	KASB
SEAN MILLER	CAPITOL STRATEGIES
Holly Smith	Kansas Liberty
Rachel Smith	K#1
LOD MEALY	KEARNEY & Assoc
Sharon Wenger	Legislative Research
Mack Smith	KS ST BA of Mortuary Arts
John P. Smith	KS Dept. of credit unions
Tom Thull	Office of the State Bank Commissioner
Sonya Allen	"

SENATE WAYS & MEANS COMMITTEE
GUEST LIST

DATE: March 17, 2009

NAME	REPRESENTING
Erik Wisner	KDA
Jack Gonfer	ICSBHA
Kristi Ponkratz	ICSBHA
Robert Walk	KBFMS
Julia Thomas	DOR

Kansas Senate

CONFIRMATION OVERSIGHT COMMITTEE

APPOINTMENT QUESTIONNAIRE

Full Name: Joe Lee Tilghman
(please include title and middle name along with any names previously used)

Birth name is Houser. My father was killed in ww II
and I was adopted by my step-father.

Home Address: 10205 Bond, Overland Park, KS 66214
(Street Address) (City, State, Zip)

Driver's License Number: _____ Social Security Number: _____

Position to which Appointed: Kansas Health Policy Authority Board

Appointing Authority: Senate President

* Information on this page will not be made public but is used by the KBI and Department of Revenue.

Senate Ways & Means Cmte
Date 3-17-2009
Attachment 1

(for Committee use only)

KBI Check: N/A ___ In-Process ___ Complete ___
DOR Check: N/A ___ In-Process ___ Complete ___

This Questionnaire is to be fully completed by each appointee appearing before the Senate Confirmation Oversight Committee (Committee) and returned to the Committee Chairman's Office. A meeting of the Committee to consider an appointee will not be scheduled until a completed questionnaire and other forms are received by the Chairman. Please answer each question completely to the best of your knowledge. Should a question not be applicable, please so state. Hand-written responses are strongly discouraged. If filling out this form electronically, "□" should be replaced with "X" by the appropriate response on the form. Please contact your appointing authority if you have questions when completing the form.

Full Name: Joe Lee Tilghman
(please include title and middle name along with any names previously used)

Position to which Appointed: Kansas Health Policy Authority Board

Appointing Authority: Senate President

Home Address: 10205 Bond Overland Park, KS 66214
(Street Address) (City, State, Zip)

Business Name: Not Applicable - retired

Business Address: N/A
(Street Address) (City, State, Zip)

Position Title: N/A

Home Phone: 913-888-8545 Business Phone: N/A Cell Phone: N/A

Fax Number: N/A E-Mail Address: jtilghman@kc.rr.com

Kansas resident? Yes / No Date of Birth: 9-4-1944 Place of Birth: Topeka, KS

Registered Voter? Yes Party Affiliation: Republican

Congressional District: 003 Kansas Senate District: 0008 Kansas Representative District: 0016

Do you have the legal right to live and work in the United States? Yes / No

Please answer the following questions numbered 1 – 43. Each question **MUST BE ANSWERED ON THIS ORIGINAL FORM.** If the answers the question are provided on your resume, please state "See Resume" or if you supply additional attachment(s) with answers, please state "See Attachment(s)" on this form.

1. What is your educational background? B.S. Univ. of Kansas 1967
M.S. Troy St. Univ., Alabama 1970
2. Describe your employment experience. Include any expertise related to the position to which you were appointed. 33 years with federal government working with Medicare and Medicaid; 4 1/2 years in Army 1-2

3. List any professional licenses that you have obtained and include the number for each license.
NOT APPLICABLE
4. Why do you feel you are a good candidate for the position to which you have been appointed?
EXTENSIVE EXPERIENCE IN HEALTH INSURANCE
5. What do you see as the purpose or mission of the role to which you have been appointed?
IMPROVE THE HEALTH OF KANSANS
6. **Military Service:** List rank, date and type of discharge from active service.
 None Captain, US Army, honorable discharge September 1970
7. **Government Experience:** List any experience or association with local, state or federal government (exclusive of elective public office but including advisory, consulting, honorary, appointed or other part-time service or positions) and include dates of service.
 None worked in Medicare and Medicaid 1970-2004 in HCFA and CMS.
8. **Elective Public Office:** List all elective public offices sought and/or held with dates of service.
 None
9. **Campaigns:** Have you ever played a role or held a position in a political campaign? If so, please identify the candidate(s), the dates of the campaign and describe your involvement.
 No Yes
10. **Honors and Awards:** List all scholarships, fellowships, honorary degrees, honorary society memberships and any other special recognition for outstanding service or achievements.
 None Presidential Rank Award for civil servants and a number of military decorations
11. **Organization Affiliations:** List all civic, cultural, educational, charitable, or work-related organizations that you have been associated with in the past ten years. Include any position held in the organization and the dates of service. National Academy of Social Insurance;
 None Vietnam Veterans of America; Senior Executives Assn.
12. **Organization Restrictions:** To your knowledge, is any organization listed above restricted on the basis of race, color, religion, sex, national origin, disability, marital status or veteran status? If so, please describe.
 No Yes Vietnam Veterans of America is limited to Vietnam veterans
13. **Issues:** Have you ever been publicly identified, in person or by organizational membership, with a particularly controversial national or local issue? If so, please describe.
 No Yes
14. **Submission of Views:** Have you ever submitted oral or written views to any governmental authority, whether executive or legislative, or to the news media on any particularly controversial issue other than in an official governmental capacity? If so, please describe.
 No Yes
15. **Associations:** Have you ever had any association with any person, group or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for the position to which you seek to be appointed? If so, please describe.
 No Yes

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16. **Opposition:** Do you know of any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If so, please identify and explain the basis for the potential attack.
 No Yes
17. **Miscellaneous:** List any factors, other than the information provided above, which particularly qualifies you or is relevant to the position to which you are seeking appointment? Include any special skills.
 None
18. **Relationship to Governmental Employees:** Are you or your spouse or other close family members related to any state governmental official or employee? If so, please provide details.
 No Yes
19. **Compensation:** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with the State of Kansas? If so, please explain.
 No Yes
20. **Business Relationships:** Describe any business relationship, dealing or financial transaction which you have had during the last five years, whether for yourself, on behalf of a client or acting as an agent, which you believe may constitute an appearance of impropriety or result in a potential conflict of interest in the position to which you want to be appointed. If none, please so state.
 None
21. **Transactions with Officials:** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with any state government official? If so, please explain.
 No Yes
22. **Spouse or Other Family Members:** If the nature of employment for your spouse or other close family member is related in any way to the position to which you have been appointed, please indicate the employer, the position and the length of time it has been held. If not, please so state.
 No Yes
23. **Lobbying Activities:** Describe any lobbying activity during the past ten years in which you and/or your spouse have engaged for the purpose of influencing the passage, defeat or modification of any legislative or administrative action. Lobbying activity includes any activity performed as an individual or agent of another individual, or of any organization that involves direct communication with an official in the executive branch of state government or any official of the legislative branch. If none, please so state.
 None
24. **Regulated Activities:** Describe any interest that you, your spouse or other close family member may have (whether as an officer, owner, director, trustee, or partner) in any corporation, firm, partnership or other business enterprise and any non-profit organization or other institution that is regulated by or receives direct financial benefits from any department or agency of the State of Kansas. If none, please so state.
 None

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25. **Other:** Please describe any other matter in which you are involved that is or may be incompatible or in conflict with the discharge of the duties of the position to which you have been appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position. If none, please so state.

None

26. **Conflict of Interest:** How would you resolve any potential conflicts of interest that, while maybe unforeseen at this point in time, could arise? *By working with legal counsel to see what is required*

27. **Citations:** Have you ever been cited for a breach of ethics for unprofessional conduct, or been named in a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, please provide details.

No Yes

28. **Convictions:** Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a traffic infraction? (Please include any offenses of driving under the influence, operating while impaired, reckless driving, or the equivalent offenses in other states.) If so, please explain.

No Yes

29. **U.S. Military Convictions:** Have you ever been convicted by any military court? If so, please provide details.

No Yes

30. **Imprisonment:** Have you ever been imprisoned, been on probation or been on parole? If so, please provide details.

No Yes

31. **Agency Proceedings/Civil Litigation:** Are you presently, or have you ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If so, please provide details.

No Yes

32. **Agency Proceedings and Civil Litigation of Affiliates and Family:** a.) Is your spouse or other close family member currently, or ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If so, please provide details.

No Yes

b.) Has any business in which you, your spouse, close family member or business associate are or were an officer, director or partner been a party to any administrative agency proceeding or civil litigation relevant to the position to which you are seeking appointment? If so, please provide details. (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member, or business associate were an officer of that business.)

No Yes

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Joe Tilghm

12-20-0

33. **Other Litigation:** a.) Other than the litigation described in question 32, have you or any business in which you are or were an officer, director, or partner been a plaintiff or a defendant in a civil lawsuit? If so, please describe.
 No Yes
- b.) Are you aware of any pending or anticipated litigation against you or any business in which you are an officer, director, or partner? If so, please describe.
 No Yes
34. **Drivers License:** Has your driver's license ever been suspended or revoked? If so, please describe.
 No Yes 1965 or 1966 my license was suspended for driving without a driver's license
35. **Parking Tickets:** Do you have outstanding parking tickets from any jurisdiction that have remained unpaid for more than 60 days? If so, please explain.
 No Yes
36. **Security Clearance Denial:** Have you ever been denied a military or other governmental clearance? If so, please explain.
 No Yes
37. **Firings:** a.) During the past ten years, have you been fired from a job for any reason? If so, please explain.
 No Yes
- b.) During the past ten years, have you quit a job after being told that you would be fired? If so, please explain.
 No Yes
- c.) During the past ten years, did you leave a job by mutual agreement because of specific problems? If so, please explain.
 No Yes
38. **Alimony and Child Support:** Are you now, or have you ever been, delinquent in the payment of alimony or child support? If so, please explain
 No Yes
39. **Consumption of Alcohol:** Have you ever or are you currently abusing alcohol? If so, please explain.
 No Yes
40. **Controlled Substances:** Have you ever or are you currently engaged in the illegal use of a controlled substance or abusing the use of a prescribed controlled substance? If so, please explain.
 No Yes
41. **Physical Examination:** If you receive a conditional offer of appointment or employment, would you be willing to take a physical examination, which may include a drug test?
 No Yes

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December 20, 2008

Senator Derek Schmidt
Chairman, Senate Confirmation Oversight Committee
Statehouse, 300 SW 10th Street
Room 392 East
Topeka, KS 66612

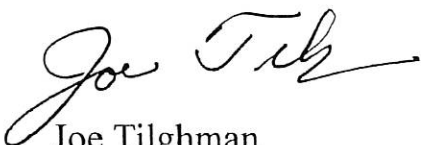
Dear Sir:

This is a followup to my earlier letter of December 12, 2008, in which I enclosed the material listed below at the request of Senator Steve Morris. I understand that this was needed in connection with my reappointment as a member of the Kansas Health Policy Authority Board.

Copy of my most recent Statement of Substantial Interest
Acknowledgment of Release of Tax and Criminal Records
Information Form
Completed Confirmation Oversight Committee Appointment Form
Curriculum Vitae

I was subsequently advised by Marlene Shellenberger, KHPA, that I had failed to complete Question 34 on the Confirmation Oversight Committee Form and that I should send you a new page of that form with Item 34 completed. Please find that page enclosed. I apologize for any inconvenience my oversight caused. Please advise if any additional information is needed.

Cordially,



Joe Tilghman
10205 Bond
Overland Park, KS 66214
Telephone: 913-888-8545
E-Mail: jtilghman@kc.rr.com

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42. **Governmental Delinquencies:** Are you delinquent in the payment of any obligation owed to the federal or state government or any political or taxing subdivision or any instrumentality thereof? (Include delinquencies in the payment of: Income, property, or other taxes; exactions, fees or special assessments; loans, including any defaults, on or under loans which are or were made by, guaranteed, insured or subsidized by any unit of government or instrumentality thereof; overpayment of benefits; required payments into or under governmental programs; payments under a diversion arrangement or other repayment schedule.) If applicable, please state whether such delinquency is under formal appeal.

No Yes

43. **Other:** Please provide any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment. If none, please so state.

None

Please include resume and completed Statement of Substantial Interest not more than twelve months old.

REFERENCES

Name: DENNY ZIMMERMAN Knows you how?: FRIEND AND NEIGHBOR

Address: 10212 FLINT OVERLAND PARK, KS 66214
(City, State, Zip)

Home Phone: 913-888-1768 Business Phone: N/A

Name: PAUL HOREL Knows you how?: FRIEND

Address: 11453 S. BROWNBRIDGE OLATHE, KS 66061
(City, State, Zip)

Home Phone: 913-780-5242 Business Phone: _____

Name: JO ANN FINLAY Knows you how?: WORK

Address: 6218 RIGGS MISSION, KS 66202
(City, State, Zip)

Home Phone: 913-831-4425 Business Phone: NA

Name: TOM LENZ Knows you how?: WORK

Address: 11416 NE 131st St. LIBERTY, MO 64068
(City, State, Zip)

Home Phone: 816-792-0114 Business Phone: NA

AUTHORIZATION AND CERTIFICATION:

The facts set forth in my application are true and complete. False statements, answers, or omissions on this application shall be sufficient cause for nonconsideration or for dismissal after appointment or employment. I also recognize that my selection is based on receipt of satisfactory information from former employers and references, and upon my ability to perform the essential elements, with or without reasonable accommodations, for the position for which I am applying. I herein authorize investigation, without liability, of the information supplied by me in this application for employment or appointment including academic, occupational, health, law enforcement, and government records. I also authorize listed employers and references, without liability, to make full response to any inquiries in connection with this application for appointment or employment. I understand and agree that the terms, conditions, compensation, benefits, hours, schedule, and duration of my appointment or employment may be determined, changed, or modified from time to time at the will of the appointing authority or designee without limitation or condition. I FURTHER CERTIFY THAT I HAVE READ THE FOREGOING PARAGRAPH AND KNOWINGLY MAKE THIS AUTHORIZATION BY SETTING FORTH MY SIGNATURE.

I understand that if I am required to be registered, licensed, or certified by federal or state law or regulation for the position I seek, I will notify the appointing authority immediately if any investigation, limitation, or cancellation of my registration, licensure, or certification occurs. If any investigation, probation, limitation, or cancellation occurs, I understand that my failure to notify my appointing authority as described above will result in the termination of my appointment or employment.

Signature Joe Tilgh

Date Dec. 12, 2008

1-9

September 15, 2005

CURRICULUM VITAE

Joe L. Tilghman
10205 Bond Street
Overland Park, KS 66214
913-888-8545
jtilghman@kc.rr.com

PERSONAL

Born September 4, 1944, in Topeka, Kansas
Married to Jo Anne Hardy for 39 years
Two children: Stephanie, born in 1972, and Abigail, born in 1974
Outside interests include history, travel, canoeing, backpacking, gardening,
Colorado mountains and South Pacific beaches

EDUCATION

B.A., University of Kansas, 1967: Philosophy and English
M.S., Troy State University, 1970: Education
30 hours graduate work in Public Health Administration,
University of Missouri at Kansas City, 1972 - 1978

MILITARY

Active duty in the Army 1967 – 1970; attained rank of Captain
Republic of Vietnam June 1968 – June 1969
Fixed wing and helicopter pilot; instructor pilot
Kansas Army National Guard 1970 -1976; State Aviation Safety Officer

WORK EXPERIENCE

July 1971 – June 1976: Bureau of Health Insurance, HEW, Kansas City Regional Office. Involved in the administration of the Medicare program in IA, KS, MO & NE.

June 1976 – Nov. 1978: Social & Rehabilitation Services, HEW, Kansas City Regional Office. Involved in the administration of the Medicaid program in IA, KS, MO & NE.

Nov. 1978 – June 1994: Deputy Regional Administrator, Health Care Financing Administration, HHS, Kansas City Regional Office. Responsible for federal administration of the Medicare and Medicaid programs in IA, KS, MO and NE.

June 1994 – Dec. 1996: Regional Administrator, Health Care Financing Administration, HHS, Kansas City Regional Office. Responsible for federal administration of the Medicare and Medicaid programs in IA, KS, MO and NE.

Dec. 1996 – Dec. 2004: Midwest Consortium Administrator, Centers for Medicare and Medicaid (CMS), HHS. Responsible for federal administration of the Medicare and Medicaid programs in IA, KS, MO, NE, MN, MI, IN, IL, WI, and OH. Member of the CMS Executive Council. Six month detail to New York City following 9-11 to run the New York City, Boston and Philadelphia regions.

Jan. 2005 – Present: **Happily retired!**

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STATE OF KANSAS



KANSAS GOVERNMENTAL ETHICS COMMISSION

ELECTRONIC STATEMENT OF SUBSTANTIAL INTERESTS FORM

INSTRUCTIONS: This statement must be completed by individuals who are required to do so by law. Any individual who intentionally fails to file as required by law, or intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and "Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 785-296-4219.

A. IDENTIFICATION:

Tilghman

Last Name

Joe

First Name

L

MI

Jo Anne Tilghman

Spouse's Name

10205 Bond

Number & Street Name, Apartment Number, Rural Route, or P.O. Box Number

Overland Park, KS 66214

City, State, Zip Code

(913) 888-8545

Home Phone Number

(913) 888-8545

Business Phone Number

B. THIS FORM IS REQUIRED TO BE FILED BECAUSE YOU ARE:

(check one or more of the following)

- 1. State Elected Official (Governor, Lt. Governor, Attorney General, Commissioner of Insurance, State Treasurer, Secretary of State, State Senator, State Representative, Member of State Board of Education or District Attorney);
- 2. Appointed Member of a State Board, Council, Commission or Authority;
- 3. Appointed State Position is Subject to Senate Confirmation;
- 4. Employee of a State Agency or University;
- 5. General Counsel for a State Agency;
- 6. Candidate for State Office.
- 7. Other (Contractor / Member of Compact)

Kansas Health Policy Authority

List the Name of Agency, Board, University or Elected Position (You may use abbreviations but not acronyms)

Board member

Division if applicable (May use acronyms)

Position

1-11

* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional. *

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C. OWNERSHIP INTERESTS: List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income, and specific stocks, mutual funds or retirement accounts in which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here

BUSINESS NAME AND ADDRESS		TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	PERCENT OF OWNERSHIP INTERESTS	HELD BY WHOM
1.	Bank of America 95th and Monrovia, Lenexa, KS 66214	Bank	checking and savings	100%	both
2.	Wachovia Lenexa, KS	Bank	Savings account	100%	both
3.	Thrift Savings Account Unknown	Federal retirement savings	savings	100%	both

D. GIFTS OR HONORARIA: List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED		ADDRESS	RECEIVED BY
1.			

E. RECEIPT OF COMPENSATION: (Part 1) List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE

If you have nothing to report in Section "E"1, check here

NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1. Civil Service retirement	601 East 12th Kansas City, Mo 64141	Federal Government

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.

If you have nothing to report in Section "E"2, check here

NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1. KPERS	Topeka, KS	State Government

F. OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS: List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section.

1-12

If you have nothing to report in Section "F", check here

BUSINESS NAME AND ADDRESS		POSITION HELD	HELD BY WHOM
1.			

G. RECEIPT OF FEES AND COMMISSIONS: List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "G", check here

NAME OF CLIENT / CUSTOMER		ADDRESS	RECEIVED BY
1.			

H. DECLARATION: I declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

Date Electronically Filed: 03/22/2008
 Name of Person Making Statement: Joe L. Tilghman

1-13

Kansas Senate

CONFIRMATION OVERSIGHT COMMITTEE

APPOINTMENT QUESTIONNAIRE

Full Name: Garen Lorimer Cox
(please include title and middle name along with any names previously used)

Home Address: 2301 Samuel Place, Independence, KS 67301
(Street Address) (City, State, Zip)

Driver's License Number: _____ Social Security Number: _____

Position to which Appointed: Kansas Health Policy Authority

Appointing Authority: Speaker of the House Melvin Neufeld

* Information on this page will not be made public but is used by the KBI and Department of Revenue.

Senate Ways & Means Cmte
Date 3-17-2009
Attachment 2

(for Committee use only)

KBI Check: N/A In-Process Complete

DOR Check: N/A In-Process Complete

This Questionnaire is to be fully completed by each appointee appearing before the Senate Confirmation Oversight Committee (Committee) and returned to the Committee Chairman's Office. A meeting of the Committee to consider an appointee will not be scheduled until a completed questionnaire and other forms are received by the Chairman. Please answer each question completely to the best of your knowledge. Should a question not be applicable, please so state. Hand-written responses are strongly discouraged. If filling out this form electronically, "" should be replaced with "X" by the appropriate response on the form. Please contact your appointing authority if you have questions when completing the form.

Full Name: Garen Lorimer Cox
(please include title and middle name along with any names previously used)

Position to which Appointed: Kansas Health Policy Authority Board

Appointing Authority: Speaker of the House Melvin Neufeld

Home Address: 2301 Samuel Place Independence, KS 67301
(Street Address) (City, State, Zip)

Business Name: Medicalodges, Inc.

Business Address: 201 West Eighth Street Coffeyville, KS 67337
(Street Address) (City, State, Zip)

Position Title: President and CEO

Home Phone: 620-331-7374 Business Phone: 620-251-6700 Cell Phone: [REDACTED]

Fax Number: 620-251-6798 E-Mail Address: glcox@medicalodges.com

Kansas resident? Yes / No Date of Birth: 1/20/51 Place of Birth: Ft. Scott, KS

Registered Voter? Yes Party Affiliation: Republican

Congressional District: 4 Kansas Senate District: 15 Kansas Representative District: 12

Do you have the legal right to live and work in the United States? Yes / No

Please answer the following questions numbered 1 – 43. Each question MUST BE ANSWERED ON THIS ORIGINAL FORM. If the answers the question are provided on your resume, please state "See Resume" or if you supply additional attachment(s) with answers, please state "See Attachment(s)" on this form.

1. What is your educational background? 1-12 Mound City, KS Public Schools, KU Undergraduate Degree and Washburn Law School
2. Describe your employment experience. Include any expertise related to the position to which you were appointed. 1976 to present. Medicalodges, Inc. Health Care Provider as General Counsel. In 2003, President and CEO.

3. List any professional licenses that you have obtained and include the number for each license.
Kansas Bar Association. #09211
4. Why do you feel you are a good candidate for the position to which you have been appointed?
Background in health care.
5. What do you see as the purpose or mission of the role to which you have been appointed?
Representation of long term care on Health Policy Board.
6. **Military Service:** List rank, date and type of discharge from active service.
None
7. **Government Experience:** List any experience or association with local, state or federal government (exclusive of elective public office but including advisory, consulting, honorary, appointed or other part-time service or positions) and include dates of service.
None Since 2005 have been on KHPA Board.
8. **Elective Public Office:** List all elective public offices sought and/or held with dates of service.
None
9. **Campaigns:** Have you ever played a role or held a position in a political campaign? If so, please identify the candidate(s), the dates of the campaign and describe your involvement.
No Yes
10. **Honors and Awards:** List all scholarships, fellowships, honorary degrees, honorary society memberships and any other special recognition for outstanding service or achievements.
None See attached
11. **Organization Affiliations:** List all civic, cultural, educational, charitable, or work-related organizations that you have been associated with in the past ten years. Include any position held in the organization and the dates of service. Kansas Bar Association: SEK Bar Association;
None American Health Care Association (Tort Reform Comm.); American Bar Assoc.;
Kansas Health Care Association (VP Multi Facility & Chaired Tort Reform Sub-committee).
12. **Organization Restrictions:** To your knowledge, is any organization listed above restricted on the basis of race, color, religion, sex, national origin, disability, marital status or veteran status? If so, please describe.
No Yes
13. **Issues:** Have you ever been publicly identified, in person or by organizational membership, with a particularly controversial national or local issue? If so, please describe.
No Yes
14. **Submission of Views:** Have you ever submitted oral or written views to any governmental authority, whether executive or legislative, or to the news media on any particularly controversial issue other than in an official governmental capacity? If so, please describe.
No Yes
15. **Associations:** Have you ever had any association with any person, group or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for the position to which you seek to be appointed? If so, please describe.
No Yes

2-3

Board of Directors of Medicalodges, Inc. (1998 to Present).

Served on the Independence, Kansas Planning and Zoning Commission. (Mid 1990's to 2001)

Coordinator of the Kansas University's Honor's Program, which honors the top 10% of High School Seniors in Montgomery County, Kansas.

Kansas Chamber of Commerce's Leadership Kansas Class (1992).

Participated in the Long Term Care Consortium, a national group of Long Term Care Leaders who developed standards and guideline for the implementation of the Health Insurance Portability and Accountability Act (HIPAA) for providers of Long Term Care in America (2003).

Served on the Governor's long-term Care Task Force for the State of Kansas (appointed by Governor Bill Graves).

Member of American Bar Association, American Trial Lawyers Association, American Health Lawyers Association, Kansas Bar Association, Kansas Trial Lawyers Association, and Montgomery County Bar Association.

Currently serves on the American Health Care Association's Medical Liability Reform Subcommittee (2004 to present) and the Kansas Health Care Association's Tort Reform Subcommittee (Chair) (2004 to present). Kansas Health Care Association's Multi-Facility Vice-President (2005 to present), and member of its Board of Directors. In 2006 was presented with the Kansas Health Care Association's Distinguished Service Award.

Frequent lecturer and teacher on health care issues and taught a course for paralegal training at Independence Community College.

Opening speaker at the 2006, Kansas Health Care Association Convention.

Nominated to serve on the Kansas Chamber of Commerce Board of Directors in August of 2006 and elected to that position on September 22, 2006. June, 2007, named to serve with seven other individuals on that board's nominating committee to select future board members and to nominate a the slate of officers to lead the Board of Directors for the future.

January, 2007, appointed to serve on the Lincoln Healthcare Events "Power Meetings" advisory board to recommend and advise as to our industry's needs during the national conference (Lincoln Healthcare Link Program).

In August, 2007, was featured in an article in the Health Executive Magazine.

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16. **Opposition:** Do you know of any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If so, please identify and explain the basis for the potential attack.
 No Yes
17. **Miscellaneous:** List any factors, other than the information provided above, which particularly qualifies you or is relevant to the position to which you are seeking appointment? Include any special skills.
 None
18. **Relationship to Governmental Employees:** Are you or your spouse or other close family members related to any state governmental official or employee? If so, please provide details.
 No Yes
19. **Compensation:** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with the State of Kansas? If so, please explain.
 No Yes Reimbursement for expenses incurred as involved with the Kansas Health Policy Authority. See also No. 20
20. **Business Relationships:** Describe any business relationship, dealing or financial transaction which you have had during the last five years, whether for yourself, on behalf of a client or acting as an agent, which you believe may constitute an appearance of impropriety or result in a potential conflict of interest in the position to which you want to be appointed. If none, please so state.
 None None, except in my role as Executive of Health Provider which provides Medicaid and Medicare services. Any potential conflicts will be handled through KHPA Governance policies.
21. **Transactions with Officials:** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with any state government official? If so, please explain.
 No Yes
22. **Spouse or Other Family Members:** If the nature of employment for your spouse or other close family member is related in any way to the position to which you have been appointed, please indicate the employer, the position and the length of time it has been held. If not, please so state.
 No Yes
23. **Lobbying Activities:** Describe any lobbying activity during the past ten years in which you and/or your spouse have engaged for the purpose of influencing the passage, defeat or modification of any legislative or administrative action. Lobbying activity includes any activity performed as an individual or agent of another individual, or of any organization that involves direct communication with an official in the executive branch of state government or any official of the legislative branch. If none, please so state.
 None Met with Senator Umbarger as part of the Kansas Long Term Care Provider Assessment.
24. **Regulated Activities:** Describe any interest that you, your spouse or other close family member may have (whether as an officer, owner, director, trustee, or partner) in any corporation, firm, partnership or other business enterprise and any non-profit organization or other institution that is regulated by or receives direct financial benefits from any department or agency of the State of Kansas. If none, please so state.
 None My employer is regulated and receives Medicaid funding for long term care residents. Medicalodges is an employee-owned company with approximately 1,800 other employee-owners. Medicalodges also has an ESOP and 401(k).

25. **Other:** Please describe any other matter in which you are involved that is or may be incompatible or in conflict with the discharge of the duties of the position to which you have been appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position. If none, please so state.
None None
26. **Conflict of Interest:** How would you resolve any potential conflicts of interest that, while maybe unforeseen at this point in time, could arise? Withdrawal from any vote that would serve to financially benefit Medicalodges alone.
27. **Citations:** Have you ever been cited for a breach of ethics for unprofessional conduct, or been named in a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, please provide details.
No Yes
28. **Convictions:** Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a traffic infraction? (Please include any offenses of driving under the influence, operating while impaired, reckless driving, or the equivalent offenses in other states.) If so, please explain.
No Yes
29. **U.S. Military Convictions:** Have you ever been convicted by any military court? If so, please provide details.
No Yes
30. **Imprisonment:** Have you ever been imprisoned, been on probation or been on parole? If so, please provide details.
No Yes
31. **Agency Proceedings/Civil Litigation:** Are you presently, or have you ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If so, please provide details.
No Yes
32. **Agency Proceedings and Civil Litigation of Affiliates and Family:** a.) Is your spouse or other close family member currently, or ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If so, please provide details.
No Yes
- b.) Has any business in which you, your spouse, close family member or business associate are or were an officer, director or partner been a party to any administrative agency proceeding or civil litigation relevant to the position to which you are seeking appointment? If so, please provide details. (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member, or business associate were an officer of that business.)
No Yes Medicalodges is periodically sued for employment issues, Workers' Compensation issues or injury sustained by a resident while under our care. Also various regulatory challenges may be levied against Medicalodges. None of these actions are relevant to the position I am seeking.

33. **Other Litigation:** a.) Other than the litigation described in question 32, have you or any business in which you are or were an officer, director, or partner been a plaintiff or a defendant in a civil lawsuit? If so, please describe.
 No Yes
b.) Are you aware of any pending or anticipated litigation against you or any business in which you are an officer, director, or partner? If so, please describe.
 No Yes
34. **Drivers License:** Has your driver's license ever been suspended or revoked? If so, please describe.
 No Yes
35. **Parking Tickets:** Do you have outstanding parking tickets from any jurisdiction that have remained unpaid for more than 60 days? If so, please explain.
 No Yes
36. **Security Clearance Denial:** Have you ever been denied a military or other governmental clearance? If so, please explain.
 No Yes
37. **Firings:** a.) During the past ten years, have you been fired from a job for any reason? If so, please explain.
 No Yes
b.) During the past ten years, have you quit a job after being told that you would be fired? If so, please explain.
 No Yes
c.) During the past ten years, did you leave a job by mutual agreement because of specific problems? If so, please explain.
 No Yes
38. **Alimony and Child Support:** Are you now, or have you ever been, delinquent in the payment of alimony or child support? If so, please explain
 No Yes
39. **Consumption of Alcohol:** Have you ever or are you currently abusing alcohol? If so, please explain.
 No Yes
40. **Controlled Substances:** Have you ever or are you currently engaged in the illegal use of a controlled substance or abusing the use of a prescribed controlled substance? If so, please explain.
 No Yes
41. **Physical Examination:** If you receive a conditional offer of appointment or employment, would you be willing to take a physical examination, which may include a drug test?
 No Yes

42. **Governmental Delinquencies:** Are you delinquent in the payment of any obligation owed to the federal or state government or any political or taxing subdivision or any instrumentality thereof? (Include delinquencies in the payment of: Income, property, or other taxes; exactions, fees or special assessments; loans, including any defaults, on or under loans which are or were made by, guaranteed, insured or subsidized by any unit of government or instrumentality thereof; overpayment of benefits; required payments into or under governmental programs; payments under a diversion arrangement or other repayment schedule.) If applicable, please state whether such delinquency is under formal appeal.

No Yes

43. **Other:** Please provide any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment. If none, please so state.

None None

Please include resume and completed Statement of Substantial Interest not more than twelve months old.

REFERENCES

Name: ALAN L. RUPE, Attorney Knows you how?: Friend

Address: 8301 East 21st Street North, Suite 370 Wichita, KS 67206
(City, State, Zip)

Home Phone: _____ Business Phone: 316-609-7900

Name: FRED LOGAN, Attorney Knows you how?: Friend

Address: Corinth Office Building, 8340 Mission Road, Suite 106 Prairie Village, KS 66206
(City, State, Zip)

Home Phone: _____ Business Phone: 913-381-1121

Name: JON KIEFFER, Attorney Knows you how?: Friend

Address: 4740 Grand Avenue, Suite 300 Kansas City, MO 64112
(City, State, Zip)

Home Phone: _____ Business Phone: 816-701-1101

Name: JEFF BROWN, Attorney Knows you how?: Friend

Address: Corinth Office Building, 8340 Mission Road, Suite 106 Prairie Village, KS 66206
(City, State, Zip)

Home Phone: _____ Business Phone: 913-381-1121

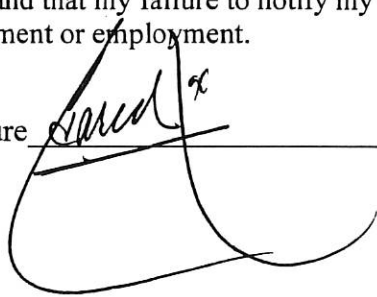
2-8

AUTHORIZATION AND CERTIFICATION:

The facts set forth in my application are true and complete. False statements, answers, or omissions on this application shall be sufficient cause for nonconsideration or for dismissal after appointment or employment. I also recognize that my selection is based on receipt of satisfactory information from former employers and references, and upon my ability to perform the essential elements, with or without reasonable accommodations, for the position for which I am applying. I herein authorize investigation, without liability, of the information supplied by me in this application for employment or appointment including academic, occupational, health, law enforcement, and government records. I also authorize listed employers and references, without liability, to make full response to any inquiries in connection with this application for appointment or employment. I understand and agree that the terms, conditions, compensation, benefits, hours, schedule, and duration of my appointment or employment may be determined, changed, or modified from time to time at the will of the appointing authority or designee without limitation or condition. I FURTHER CERTIFY THAT I HAVE READ THE FOREGOING PARAGRAPH AND KNOWINGLY MAKE THIS AUTHORIZATION BY SETTING FORTH MY SIGNATURE.

I understand that if I am required to be registered, licensed, or certified by federal or state law or regulation for the position I seek, I will notify the appointing authority immediately if any investigation, limitation, or cancellation of my registration, licensure, or certification occurs. If any investigation, probation, limitation, or cancellation occurs, I understand that my failure to notify my appointing authority as described above will result in the termination of my appointment or employment.

Signature

A handwritten signature in black ink, appearing to be "S. Reed", written over a horizontal line. The signature is stylized and includes a small "x" at the end.

Date

10-01-2008

2-9



Sec. of St. bar code

KANSAS GOVERNMENTAL ETHICS COMMISSION

STATEMENT OF SUBSTANTIAL INTERESTS FORM

INSTRUCTIONS. This statement (pages 1 through 4) must be completed by individuals who are required to do so by law. Any individual who intentionally fails to file as required by law, or intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 785-296-4219.

A. IDENTIFICATION: PLEASE TYPE OR PRINT

COX Last Name GAREN First Name L. MI Spouse's Name 2301 Samuel Place Number & Street Name, Apartment Number, Rural Route, or P.O. Box Number Independence, KS 67301 City, State, Zip Code 620-331-7374 Home Phone Number (include area code) 620-251-6700 Business Phone Number (include area code)

B. THIS FORM IS REQUIRED TO BE FILED BECAUSE YOU ARE:

(check one or more of the following)

- 1. State Elected Official (Governor, Lt. Governor, Attorney General, Commissioner of Insurance, State Treasurer, Secretary of State, State Senator, State Representative, Member of State Board of Education, or District Attorney);
2. Appointed Member of a State Board, Council, Commission or Authority;
3. Appointed State Position is Subject to Senate Confirmation;
4. Employee of a State Agency or University;
5. General Counsel for State Office;
6. Candidate for State Office;
7. Other (Contractor / Member of Compact).

List Name of Agency, Board, University or Elected Position (You may use abbreviations but not acronyms)

Kansas Health Policy Authority Board Member

Agency Division if applicable (May use acronyms) Position

* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

9 8 2 3

2-10

C. **OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income, and specific stocks, mutual funds or retirement accounts in which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here ____.

BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	PERCENT OF OWNERSHIP INTERESTS	HELD BY WHOM
1. Medicalodges, Inc. 201 West 8th St., Coffeyville, KS 67337	Long Term Care Provider	ESOP-Profit Sharing	Less than 2%	Co.
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				

D. **GIFTS OR HONORARIA:** List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here x.

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1.		
2.		
3.		

E. **RECEIPT OF COMPENSATION:** List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

- 1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE ____.
- If you have nothing to report in Section "E"1, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	Medicalodges, Inc.	201 West 8th, Coffeyville, KS 67337	Owns and operates Long-Term Care facilities
2.			

- 2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.
- If you have nothing to report in Section "E"2, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	Tri-County Special Ed. Cooperative	220 E. Chestnut St. Independence, KS 67301	Special Ed. Services for children
2.			

F. **OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS:** List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "F", check here ____.

	BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.	Medicalodges, Inc. 201 West 8th St. Coffeyville, KS 67337	President and CEO	Self
2.	Kansas Health Care Association 117 SW 6th Street, Suite 200 Topeka, KS 66603-3805	V.P. of Multi-Facilities	Self
3.	Kansas Chamber of Commerce 835 SW Topeka Blvd. Topeka, KS 66612-1671	Board of Directors	Self
4.			
5.			
6.			
7.			
8.			



G. RECEIPT OF FEES AND COMMISSIONS: List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "G", check here X .

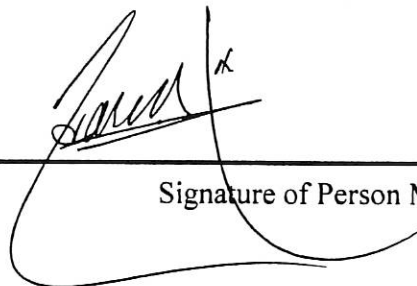
	NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			

H. DECLARATION:

I, GAREN COX , declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

10-01-2008

Date


Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES 0 .

Return your completed statement to the Secretary of State, Elections Division, Memorial Hall, First Floor, 120 SW 10th, Topeka, Kansas 66612-1594.

Kansas Senate

CONFIRMATION OVERSIGHT COMMITTEE

APPOINTMENT QUESTIONNAIRE

Full Name: E. J. "Ned" Holland, Jr.

(please include title and middle name along with any names previously used)

Home Address: 3674 Belleview Ave., Kansas City, MO 64111

(Street Address)

(City, State, Zip)

Driver's License Number: [REDACTED] Social Security Number: [REDACTED]

Position to which Appointed: Kansas Health Policy Authority

Appointing Authority: President of the Kansas Senate

* Information on this page will not be made public but is used by the KBI and Department of Revenue.

Senate Ways & Means Cmte

Date 3-17-2009

Attachment 3

(for Committee use only)

KBI Check: N/A ___ In-Process ___ Complete ___
DOR Check: N/A ___ In-Process ___ Complete ___

This Questionnaire is to be fully completed by each appointee appearing before the Senate Confirmation Oversight Committee (Committee) and returned to the Committee Chairman's Office. A meeting of the Committee to consider an appointee will not be scheduled until a completed questionnaire and other forms are received by the Chairman. Please answer each question completely to the best of your knowledge. Should a question not be applicable, please so state. Hand-written responses are strongly discouraged. If filling out this form electronically, "□" should be replaced with "X" by the appropriate response on the form. Please contact your appointing authority if you have questions when completing the form.

Full Name: E. J. "Ned" Holland, Jr.

(please include title and middle name along with any names previously used)

Position to which Appointed: Kansas Health Policy Authority

Appointing Authority: President of the Kansas Senate

Home Address: 3674 Belleview Ave., Kansas City, MO 64111

(Street Address)

(City, State, Zip)

Business Name: Embarq

Business Address: 5454 W. 110th St., Overland Park, KS 66211

(Street Address)

(City, State, Zip)

Position Title: Senior Vice President, Human Resources & Communications

Home Phone: n/a Business Phone: 913-345-7999 Cell Phone: 816-678-8132

Fax Number: 913-971-2248 E-Mail Address: ned.holland@embarq.com

Kansas resident? Yes / No Date of Birth: 4/19/43 Place of Birth: Washington, DC

Registered Voter? Yes Party Affiliation: Democrat

Congressional District: MO-5 Kansas Senate District: n/a Kansas Representative District: n/a

Do you have the legal right to live and work in the United States? Yes / No

Please answer the following questions numbered 1 – 43. Each question MUST BE ANSWERED ON THIS ORIGINAL FORM. If the answers the question are provided on your resume, please state "See Resume" or if you supply additional attachment(s) with answers, please state "See Attachment(s)" on this form.

1. What is your educational background?

See Curriculum Vitae

2. Describe your employment experience. Include any expertise related to the position to which you were appointed.

See Curriculum Vitae

3. List any professional licenses that you have obtained and include the number for each license.
Missouri Law License #21281
4. Why do you feel you are a good candidate for the position to which you have been appointed?
See Attachment
5. What do you see as the purpose or mission of the role to which you have been appointed?
See Attachment
6. **Military Service:** List rank, date and type of discharge from active service.
None
7. **Government Experience:** List any experience or association with local, state or federal government (exclusive of elective public office but including advisory, consulting, honorary, appointed or other part-time service or positions) and include dates of service.
None See Curriculum Vitae
8. **Elective Public Office:** List all elective public offices sought and/or held with dates of service.
None See Curriculum Vitae
9. **Campaigns:** Have you ever played a role or held a position in a political campaign? If so, please identify the candidate(s), the dates of the campaign and describe your involvement.
No Yes See Attachment
10. **Honors and Awards:** List all scholarships, fellowships, honorary degrees, honorary society memberships and any other special recognition for outstanding service or achievements.
None See Curriculum Vitae
11. **Organization Affiliations:** List all civic, cultural, educational, charitable, or work-related organizations that you have been associated with in the past ten years. Include any position held in the organization and the dates of service.
None See Curriculum Vitae
12. **Organization Restrictions:** To your knowledge, is any organization listed above restricted on the basis of race, color, religion, sex, national origin, disability, marital status or veteran status? If so, please describe.
No Yes
13. **Issues:** Have you ever been publicly identified, in person or by organizational membership, with a particularly controversial national or local issue? If so, please describe.
No Yes See Attachment
14. **Submission of Views:** Have you ever submitted oral or written views to any governmental authority, whether executive or legislative, or to the news media on any particularly controversial issue other than in an official governmental capacity? If so, please describe.
No Yes See Attachment
15. **Associations:** Have you ever had any association with any person, group or business venture that could be used, even unfairly, to impugn or attack your character and qualifications for the position to which you seek to be appointed? If so, please describe.
No Yes

16. **Opposition:** Do you know of any person or group who might take overt or covert steps to attack, even unfairly, your appointment? If so, please identify and explain the basis for the potential attack.
 No Yes
17. **Miscellaneous:** List any factors, other than the information provided above, which particularly qualifies you or is relevant to the position to which you are seeking appointment? Include any special skills.
 None See Attachment
18. **Relationship to Governmental Employees:** Are you or your spouse or other close family members related to any state governmental official or employee? If so, please provide details.
 No Yes
19. **Compensation:** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with the State of Kansas? If so, please explain.
 No Yes Unknown - See Attachment
20. **Business Relationships:** Describe any business relationship, dealing or financial transaction which you have had during the last five years, whether for yourself, on behalf of a client or acting as an agent, which you believe may constitute an appearance of impropriety or result in a potential conflict of interest in the position to which you want to be appointed. If none, please so state.
 None
21. **Transactions with Officials:** During the past five years, have you or your spouse or other close family members received any compensation or been involved in any financial transaction with any state government official? If so, please explain.
 No Yes
22. **Spouse or Other Family Members:** If the nature of employment for your spouse or other close family member is related in any way to the position to which you have been appointed, please indicate the employer, the position and the length of time it has been held. If not, please so state.
 No Yes
23. **Lobbying Activities:** Describe any lobbying activity during the past ten years in which you and/or your spouse have engaged for the purpose of influencing the passage, defeat or modification of any legislative or administrative action. Lobbying activity includes any activity performed as an individual or agent of another individual, or of any organization that involves direct communication with an official in the executive branch of state government or any official of the legislative branch. If none, please so state.
 None See Attachment
24. **Regulated Activities:** Describe any interest that you, your spouse or other close family member may have (whether as an officer, owner, director, trustee, or partner) in any corporation, firm, partnership or other business enterprise and any non-profit organization or other institution that is regulated by or receives direct financial benefits from any department or agency of the State of Kansas. If none, please so state.
 None See Attachment

25. **Other:** Please describe any other matter in which you are involved that is or may be incompatible or in conflict with the discharge of the duties of the position to which you have been appointed or which may impair or tend to impair your independence of judgment or action in the performance of the duties of that position. If none, please so state.
None
26. **Conflict of Interest:** How would you resolve any potential conflicts of interest that, while maybe unforeseen at this point in time, could arise? *See Attachment*
27. **Citations:** Have you ever been cited for a breach of ethics for unprofessional conduct, or been named in a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, please provide details.
No Yes
28. **Convictions:** Have you ever been convicted of or entered a plea of guilty or nolo contendere or forfeited collateral for any criminal violation other than a traffic infraction? (Please include any offenses of driving under the influence, operating while impaired, reckless driving, or the equivalent offenses in other states.) If so, please explain.
No Yes
29. **U.S. Military Convictions:** Have you ever been convicted by any military court? If so, please provide details.
No Yes
30. **Imprisonment:** Have you ever been imprisoned, been on probation or been on parole? If so, please provide details.
No Yes
31. **Agency Proceedings/Civil Litigation:** Are you presently, or have you ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If so, please provide details.
No Yes
32. **Agency Proceedings and Civil Litigation of Affiliates and Family:** a.) Is your spouse or other close family member currently, or ever been, a party in interest in any administrative agency proceeding or civil litigation that is related in any way to the position to which you are seeking appointment? If so, please provide details.
No Yes
- b.) Has any business in which you, your spouse, close family member or business associate are or were an officer, director or partner been a party to any administrative agency proceeding or civil litigation relevant to the position to which you are seeking appointment? If so, please provide details. (With respect to this question, you need only consider proceedings and litigation that occurred while you, your spouse, close family member, or business associate were an officer of that business.)
No Yes

33. **Other Litigation:** a.) Other than the litigation described in question 32, have you or any business in which you are or were an officer, director, or partner been a plaintiff or a defendant in a civil lawsuit? If so, please describe.
 No Yes See Attachment
- b.) Are you aware of any pending or anticipated litigation against you or any business in which you are an officer, director, or partner? If so, please describe.
 No Yes See Attachment
34. **Drivers License:** Has your driver's license ever been suspended or revoked? If so, please describe.
 No Yes
35. **Parking Tickets:** Do you have outstanding parking tickets from any jurisdiction that have remained unpaid for more than 60 days? If so, please explain.
 No Yes
36. **Security Clearance Denial:** Have you ever been denied a military or other governmental clearance? If so, please explain.
 No Yes
37. **Firings:** a.) During the past ten years, have you been fired from a job for any reason? If so, please explain.
 No Yes
- b.) During the past ten years, have you quit a job after being told that you would be fired? If so, please explain.
 No Yes
- c.) During the past ten years, did you leave a job by mutual agreement because of specific problems? If so, please explain.
 No Yes
38. **Alimony and Child Support:** Are you now, or have you ever been, delinquent in the payment of alimony or child support? If so, please explain
 No Yes
39. **Consumption of Alcohol:** Have you ever or are you currently abusing alcohol? If so, please explain.
 No Yes
40. **Controlled Substances:** Have you ever or are you currently engaged in the illegal use of a controlled substance or abusing the use of a prescribed controlled substance? If so, please explain.
 No Yes
41. **Physical Examination:** If you receive a conditional offer of appointment or employment, would you be willing to take a physical examination, which may include a drug test?
 No Yes

42. **Governmental Delinquencies:** Are you delinquent in the payment of any obligation owed to the federal or state government or any political or taxing subdivision or any instrumentality thereof? (Include delinquencies in the payment of: Income, property, or other taxes; exactions, fees or special assessments; loans, including any defaults, on or under loans which are or were made by, guaranteed, insured or subsidized by any unit of government or instrumentality thereof; overpayment of benefits; required payments into or under governmental programs; payments under a diversion arrangement or other repayment schedule.) If applicable, please state whether such delinquency is under formal appeal.

No Yes

43. **Other:** Please provide any additional information, favorable or unfavorable, which you feel should be considered in connection with your appointment. If none, please so state.

None

Please include resume and completed Statement of Substantial Interest not more than twelve months old.

REFERENCES

Name: Tom Gerke Knows you how?: Supervisor

Address: Embarq, 5454 W. 110th St., Overland Park, KS 66211
(City, State, Zip)

Home Phone: 913-851-8854 Business Phone: 913-345-7994

Name: Bill Bruning Knows you how?: President of organization which I chaired.

Address: Mid-America Coalition on Health Care, One West Armour Blvd., Ste. 204, Kansas City, MO 64111
(City, State, Zip)

Home Phone: 913-362-8851 Business Phone: 816-753-0654

Name: Claudia Toussaint Knows you how?: Business Colleague

Address: Embarq, 5454 W. 110 St., Overland Park, KS 66211
(City, State, Zip)

Home Phone: 913-498-1551 Business Phone: 913-323-4450

Name: Jim Kissinger Knows you how?: Former Supervisor

Address: YRC Worldwide, 10990 Roe Ave., Overland Park, KS 66211
(City, State, Zip)

Home Phone: 816-746-6580 Business Phone: 913-696-6168

AUTHORIZATION AND CERTIFICATION:

The facts set forth in my application are true and complete. False statements, answers, or omissions on this application shall be sufficient cause for nonconsideration or for dismissal after appointment or employment. I also recognize that my selection is based on receipt of satisfactory information from former employers and references, and upon my ability to perform the essential elements, with or without reasonable accommodations, for the position for which I am applying. I herein authorize investigation, without liability, of the information supplied by me in this application for employment or appointment including academic, occupational, health, law enforcement, and government records. I also authorize listed employers and references, without liability, to make full response to any inquiries in connection with this application for appointment or employment. I understand and agree that the terms, conditions, compensation, benefits, hours, schedule, and duration of my appointment or employment may be determined, changed, or modified from time to time at the will of the appointing authority or designee without limitation or condition. I FURTHER CERTIFY THAT I HAVE READ THE FOREGOING PARAGRAPH AND KNOWINGLY MAKE THIS AUTHORIZATION BY SETTING FORTH MY SIGNATURE.

I understand that if I am required to be registered, licensed, or certified by federal or state law or regulation for the position I seek, I will notify the appointing authority immediately if any investigation, limitation, or cancellation of my registration, licensure, or certification occurs. If any investigation, probation, limitation, or cancellation occurs, I understand that my failure to notify my appointing authority as described above will result in the termination of my appointment or employment.

Signature  _____

Date December 17, 2008 _____

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KANSAS
Senate
Confirmation Oversight Committee
Appointment Questionnaire
ATTACHMENT

Answers to questions:

4. I have been involved in the health care industry for many years both as a provider and a purchaser and now have served a term on the Health Policy Authority.
5. The Health Policy Authority is responsible to improve the health of all Kansans and, in doing that, to manage the health care purchasing on behalf of the state.
9. I have participated in a wide variety of state and local campaigns, always as a volunteer. Campaigns were for a variety of offices in the state of Missouri, Jackson County, and Kansas City, Missouri. I provided typical volunteer campaign support including fund raising, scheduling, speech writing, etc.
13. Yes, I have been involved both in health care and local education which are, in some circles, regarded as controversial.
14. Yes, I testified before the Health Subcommittee of the United States House of Representatives Energy and Congress Committee in September 2008 concerning health care reform. In addition, see resume.
17. My legal, government, and health care purchasing background are an unusual blend of experience.
19. My brother, John M. Holland, of Kansas City, MO is an investment banker who, in the past, has done some business with the State of Kansas. I do not know whether he has done business with the state in the last five years and I am not involved in his business affairs in anyway. Otherwise, the answer to this question would be no.
23. I have spoken to federal officials on behalf of the interests of my employer, Embarq, a communications company.
24. My employer, Embarq, is a regulated utility in 18 states, including the state of Kansas.
26. In the case of any potential conflict of interest, I will recuse myself, or if there were no alternatives, I would resign my position.
33. a.) Yes, I have been an officer of three successive Fortune 500 companies over the last 16 years. Those companies routinely are sued for a variety of reasons and sometimes officers are named individually. I am not aware of any litigation against either my current or any of my former employers that involve in anyway the activities of the Health Policy Authority. In addition, I personally was involved in a dissolution of marriage and a separate and unrelated rental dispute, both of which were resolved amicably.
b.) Yes, I am an officer of Embarq and my employer is involved in several pieces of pending litigation.

September 2008

CURRICULUM VITAE

PERSONAL

E. J. Holland, Jr. ("Ned")
3674 Belleview Avenue
Kansas City, Missouri 64111

Phone:
Mobile - 816/678-8132
Office - 913/345-7999
FAX - 913/971-2248

Born: 4/19/43
Height 6'3
Weight: 200

Children - Leanne (7/1/72), Sarah (8/16/74),
E. J., III (2/4/77)

CURRENT EMPLOYMENT

EMBARQ Corporation (May 2006 to present)
Senior Vice President, Human Resources and Communications
5454 West 110th Street
Mailstop: KSOPKJ1001-1005
Overland Park, KS 66211

Responsible for human resources and communications functions. These groups include employee and labor relations, talent management, compensation and benefits, employee experience, corporate security, internal and external communications, the Intranet and Multimedia Communications center and the events management team.

FORMER EMPLOYMENT

Sprint Corporation (January 1999 to April 2006)
Vice President, Compensation, Benefits, Labor and Employee Relations
6220 Sprint Parkway - Eisenhower C
Mail Stop KSOPHD0516-5A101
Overland Park, Kansas 66251

Responsible for compensation programs, major corporate benefits, as well as labor and employee relations on an enterprise wide basis. This includes responsibility for the Company's short and long-term compensation programs, including stock option programs; retirement and welfare benefits, including purchasing health care for the Company's 60,000 employees and 18,000 retirees nationwide;

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relations with the international unions that represent a portion of the Company's employees; as well as general employee relations policies.

Payless Cashways, Inc. (June 1992 to March, 1998)
Senior Vice President- Administration/Corporate Secretary
2300 Main Street, Post Office Box 419466
Kansas City, Missouri 64141

Chief Administrative Officer, responsible for legal affairs, corporate secretary functions, corporate communications, public affairs, employment, compensation, training, employee and labor relations, employee benefits, personnel information systems, production studio, internal office services and other administrative functions.

Spencer Fane Britt & Browne (August 1968 to June 1992)
1400 Commerce Bank Building
Kansas City, Missouri 64106

Former partner and managing partner and founder of firm's health law practice group; Engaged in the private practice of law specializing in representation of management in labor and employee relations matters and in the representation of hospitals and health care institutions in a variety of matters and in the representation of developers and others in planning, zoning and development matters; Co-Chairman of the firm's health law practice group; appeared before the Supreme Courts of Missouri and Kansas, the United States Court of Appeals for the Eighth Circuit and by brief before the Supreme Court of the United States; practice included appearances before the National Labor Relations Board and various courts and administrative agencies, union organizational campaigns, collective bargaining negotiations, economic stabilization regulations, arbitration, extensive dealings with the EEOC and similar local agencies, health related administrative agencies, planning and zoning commissions and agencies, and other miscellaneous matters.

ACTIVITIES

Professional

National Business Group on Health - Member, Board of Directors (2004-2007); Chair, National Committee on Evidence Based Benefit Design (2004-2007).

Conference Board Council on Benefits - Member (2000-2005).

Member of the bars of the Supreme Court of Missouri, the United States District Court for the Western District of Missouri, The United States Courts of Appeals for the Seventh, Eighth and Tenth Circuits and the United States Supreme Court.

American Bar Association - Labor Law Section; Health Law Section; Economics of the Practice Section (former member).

American Hospital Association - Ad Hoc Labor Relations Advisory

Committee; Member, Task Force on Comparable Worth (1986); Chairman, Task Force on Substance Abuse (1987); Ad Hoc Committee on Testing Employees for Drug and Alcohol Abuse (1991).

Missouri Bar Association - Labor Law Committee, Vice Chairman
1973-74; Health and Hospital Law Committee.

American Academy of Hospital Attorneys; Member, task group on
Peer Review Immunity (1988-89).

Missouri Society of Hospital Attorneys/ KC Chapter
of the American Society of Hospital Attorneys/ National Health Lawyers
Association

Speeches and Presentations

- | | |
|----------------|--|
| September 2008 | Participant in panel, Health Care Foundation of Greater Kansas City - "Prevention, Productivity and Quality Health" at the Kauffman Foundation in Kansas City, MO |
| September 2008 | Participant in panel, Committee on Energy and Commerce, Subcommittee on Health - "America's Need for Health Reform" at the United States House of Representatives, Washington, DC |
| September 2008 | Participant in panel, American College of Healthcare Executives - "The Healthcare Organization's Role in Formulating Public Policy, As America Gets Ready for Healthcare Reform" at Truman Medical Center in Kansas City, MO |
| August, 2008 | Participant in panel, "Leaders' Project Policy Forum - Engaging Consumers on Preventive and Wellness Care to Encourage Healthier Lifestyles" at the Dole Institute for Politics in Lawrence, KS |
| May, 2008 | "Welcome To The Grand Illusion a/k/a The Employer Health Care Paradox." A presentation at the Thomson Health Care Advantage Conference 2008 at the Rosen Shingle Creek Resort in Orlando, FL |
| April, 2008 | "The Employer Health Care Paradox." A presentation at The 5 th Annual World Health Care Congress at the Marriott Wardman Park Hotel in Washington, DC. |
| January, 2007 | Participant in panel, "Incubating health care reengineering to speed breakthroughs and affordability" at the Mercer Health & Benefits Health Care Strategy 2007, The Ritz-Carlton, Key Biscayne, FL. |
| April, 2006 | "Leadership Role of the Purchaser (Employer) In Reforming The American Health Care System." A presentation at the Kansas |

- University Medical Center Leadership Series 2006 at the Kansas University Medical Center School of Nursing in Kansas City, KS.
- April, 2006 Participated in a Focus Group, "National Employer Focus Group." Sponsored by Johnson & Johnson Health Care Systems at the Omni Dallas Hotel Park West in Dallas, TX.
- November, 2005 "Outsourcing - A Fool's Errand." A presentation at the 2005 HR Technology Conference at Yellow Roadway Corporate Headquarters, Overland Park, KS
- March, 2005 "National Committee on Evidence-Based Benefit Design a Business Health Agenda 2005." A presentation at the Business Group Health 2005 Conference at the JW Marriott Hotel, Washington, DC.
- February, 2005 "Sprint Health Care Purchasing Collaborating With Other Employers to Reshape the Health Care Market (Care Focused Purchasing)." A presentation at the Second Annual World Health Care Congress at the Marriott Wardman Park Hotel in Washington, DC.
- October, 2004 "Sprint Health Care Purchasing Strategy. " A presentation to the Management Team of Menorah Medical Center at the Menorah Medical Center, Overland Park, KS.
- October, 2004 "Making a New Health Care Market." A presentation at the 2004 Mercer Global Human Resource Conference in London, England.
- September, 2003 Participant in panel, "Current Issues in the U.S. Pharmaceutical Market." Sponsored by the Mid-America Coalition on Health Care at the Hyatt Regency Crown Center, Kansas City, MO.
- August, 2003 "Time to Create a New Healthcare Market Place." A presentation to the Organization Resources Counselors, Inc., National Health Care Policy Network, Park Hyatt Washington, Washington, DC.
- June, 2003 "Employers Can and Should Improve Health Care in the Public Arena." A presentation to The Conference Board, Advisory Council on Human Resources Management, New York Stock Exchange, New York, NY.
- June, 2003 "Sprint Health Care Purchasing Strategy." A presentation to the Missouri Hospital Association, TanTara Resort and Hotel, Lake of the Ozarks, MO.
- May, 2003 "Sprint Health Care Purchasing Strategy." A presentation to Merck Advisory Board, Fairmont Hotel, Chicago, IL.
- April, 2003 "Sprint Health Care Purchasing Strategy." A presentation to The Conference Board Research Council on Employee Benefits, The Fairmont, New Orleans, LA

- March, 2003 "Sprint Health Care to Market" a presentation to the Washington Business Group on Health, Loews L'Enfant Plaza, Washington, D.C.
- March, 2003 "The LeapfrogGroup for Patient Safety, Rewarding Higher Standards." A presentation to Kansas University Medical School, Overland Park, KS
- August, 2002 "Getting Serious About Immediate Impact While Maintaining a Vision Toward the Long Tern." A presentation to the Organization Resources Counselors, Inc., for the National Health Care Policy Network. Park Hyatt, Washington, D.C.
- April, 2002 "Managed Care: Where is it going?" A presentation for the MEDSTAT Connection 2002 Conference, J.W. Marriott Las Vegas, Nevada.
- November, 2001 Participant in panel on "Business and Health Care." The Missouri Association of Health Care, Tan-Tar-A Resort, Lake of the Ozarks, MO.
- October, 2001 "Preparing Physicians-in Training to Succeed in Managing Care: Teaching Tools for Faculty." Moderator at the first Plenary Session - Delivering Quality in a Managed Care Environment. Tufts Managed Care Institute, Kansas City, MO.
- September, 2001 "A New Paradigm in Employee Health Benefits Management (The Role of Employers and Employees in the Health Care System)." A presentation for the Cerner Health Conference 2001, Bartle Hall, Kansas City, MO.
- September, 2001 "Issues on Health Care Fund Raising." A presentation for The Philanthropy Midwest Conference, Marriott Downtown, Kansas City, MO.
- March, 2001 "Response of Providers to Changes in the Health Care System," a presentation to the National Health Care Policy Network, Organization Resources Counselors, Inc. in Boca Raton, FL.
- February, 2000 "The Employer's Role in the Health Care System -The Past, The Present, and Alternative Futures." A Presentation to Organization Resources Counselors, Inc., Senior HR Executives Group, Chicago, IL.
- November, 1999 "The Health Care Financing Crisis in Kansas City – Myth Debunking From an Employer Point of View." A presentation to the Centurion Alumni Association of the Greater Kansas City Chamber of Commerce.
- September, 1997 "Musings of a Labor and Employment Lawyer Turned Client." A presentation to the Human Resources Client Service Group of Brian Cave LLP, Kansas City, Missouri.
- November, 1996 "How to Involve Employers in Helping Families Meet Their Child's Special Health Needs" - A panel presentation to the Mid America Conference on Children with Special Health Needs sponsored by Children's Benefits Service for Families, Kansas City, MO.

- September, 1996 "The Role of Employers in the Health Care System" - A presentation at the Labor Relations Advisory Committee, Cape Cod, Massachusetts.
- April, 1996 "The Role of Employers in the Health Care System." A presentation to The Kansas Association of Health Care Communicators and Kansans Promoting Health in Lawrence, Kansas.
- September, 1995 "The Role of Employers as Purchasers of Health Care Services." A presentation to the Kansas City Society of Health Care Planners & Marketers at the Westin Crown Center Hotel, K.C., MO.
- August, 1995 Participated on Panel on Outcomes in Nursing/Health Services Class at the Regents Center in Overland Park, KS sponsored by the KU Department of Health Services Administration, Lawrence, KS.
- August, 1995 "The Payless Cashways Story: Self-Insured and Self-Administered." A presentation to The Society for Human Resource Management at the Four Seasons Lodge, Lake of the Ozarks, MO. (with Nancy Weisz, Manager of Employee Benefits and Ron Jackson, Manger of Employee Services, Payless Cashways).
- June, 1994 "Glass Ceiling presentation" - Westin Crown Center Hotel, K.C., MO. sponsored by Ingrams Magazine.
- April, 1994 "One Employer's View of Health Care and Health Care Reform." A presentation to The Kansas City Compensation and Benefits Association at the Marriott Allis Plaza, Kansas City, MO.
- April, 1994 "One Company's Limited Experience With FMLA." A presentation at the semi-annual Labor Relations Advisory Committee Meeting in Phoenix, AZ.
- October, 1993 "Managing our Community's Health Needs." Participant in the Shawnee Mission Medical Center Health Care Summit.
- October, 1993 Midwest Summit on Health Care: Rx for Reform. Panel participant in conference sponsored by the four United States Senators from Missouri and Kansas.
- June, 1993 "Corporate Viewpoint on Health Care." A presentation to the Greater Kansas City Employee Benefit Professionals Association.
- May, 1992 "What Human Resources Directors Need to Know About Americans with Disabilities Act and Labor Relations Update." A presentation before the Missouri Society for Healthcare Human Resources Administration with Georgann H. Eglinski.
- April, 1992 A panel discussion on unionization in hospitals in the Midwest at the Region VI Conference of the American Society for Healthcare Human Resources Administration.

November, 1991 Keynote Address to The Annual Meeting of the Southtown Council, Inc.

October, 1991 "Employment and Labor Law Issues in Health Care" and "Workshop on Age Discrimination and Employment Act Litigation." Presentations at an educational seminar co-sponsored by The American Hospital Association, The American Academy of Hospital Attorneys and DePaul University Law School

June, 1991 "Minimizing the Potential for Union Activity." A presentation for the Missouri Hospital Association.

June, 1991 "Legal Considerations for Hospital Associations Regarding Proposed National Health and Welfare Changes." A presentation to the Association of Railway Medical Services Executives.

June, 1991 "Selected Labor and Employment Issues for the '90s." A presentation before the Annual Meeting of the American Academy of Hospital Attorneys.

May, 1991 "Labor and Employment Law Update for the Healthcare Sector: June, 1990-May, 1991." A presentation to the Missouri Society for Healthcare Human Resource Administration, Lake Ozark, MO.

May, 1991 "Labor and Employment Law Update for the Healthcare Sector: June, 1990-May, 1991." A presentation to the Kansas City Society of Hospital Attorneys, Kansas City, MO.

May, 1991 "Healthcare Today -- Critical Issues." A presentation to the Mid-Central Orthopedic Society, Kansas City, MO.

April, 1991 "Healthcare Issues -- The Medically Indigent." A colloquium for the graduate students of The University of Kansas Department of Health Services Administration, Overland Park, KS.

October, 1990 "Healthcare Issues -- The Medically Indigent." A presentation to the Junior League of Kansas City, Kansas City, MO.

June, 1990 "Legal Concerns of Railroad Hospital Associations." A presentation to the Association of Railway Medical Service Executives, Las Vegas, NV.

June, 1990 "Healthcare -- The Direction of the 90s." A presentation to the Greater Kansas City Employee Benefits Professional Association, Kansas City, MO.

May, 1990 "Labor and Employment Law Update for the Healthcare Sector: June 1989-May 1990." A presentation to the Greater Kansas City Society of Hospital Attorneys, Kansas City, MO.

- September, 1989 "Jesuit Education and the Call to Service in the Political Arena." A panel presentation at Rockhurst College, Kansas City, MO.
- August, 1989 "How To Cope with the Eight New NLRB Bargaining Unit Rules." A panel discussion at The American Hospital Association annual convention.
- May, 1989 "Labor & Employee Law Update For the Healthcare Sector: Rulemaking Revisited." A presentation to The Kansas City Area Society of Hospital Attorneys, Kansas City, MO.
- January, 1989 "Drug Testing in the Work Place." A presentation to the Kansas City Area Chapter of the Institute for Banking Administrators.
- November, 1988 "The National Labor Relations Board vs. The Healthcare Industry." A presentation to the Annual Convention of the Missouri Hospital Association.
- November, 1988 "1988 Update on Labor and Employment Law Issues." A presentation to the Missouri Society of Hospital Human Resource Administrators.
- November, 1988 "Dealing With Physicians as Employees." A presentation for the Health Law Forum of the American Bar Association.
- October, 1988 "Update on the Law of Employment-At-Will in Missouri and Kansas." A presentation to the Annual Meeting of the Missouri Personnel Managers Association.
- July, 1988 Labor Panel portion of the 24th Annual Meeting and Conference of the American Society for Healthcare Human Resources Administration.
- June, 1988 "Update on Labor Relations Law." A presentation to the Kansas City Area Society of Hospital Attorneys.
- June, 1988 "Labor/Employment Law Update 1987-88." Discussion leader at the Annual Meeting of the American Academy of Hospital Attorneys.
- May, 1988 "Update on Healthcare Labor Law Issues." A presentation to the Kansas City Area Society of Healthcare Human Resource Administrators.
- November, 1987 "The Law of Substance Abuse for Health Care Employers." A presentation to a session of the Annual Convention of the Missouri Hospital Association.
- June, 1987 "Labor/Employment Law Update 1986-87." Discussion leader at annual meeting of the American Academy of Hospital Attorneys.
- March, 1987 "Drug Screening of Employees." A presentation to the National Institute of Municipal Law Officers.
- November, 1986 "Drug And Alcohol Screening In The Employment Context: A Legal

- Overview." A presentation at the annual convention of the Missouri Hospital Association.
- May, 1986 "Employment-at-Will and Related Issues." A presentation to the Administrative/Trustee Forum of the Missouri Hospital Association.
- May, 1986 "Overview of the Current Employee Relations/Labor Relations Environment." A presentation to the Hospital Personnel Management Association of Missouri.
- January, 1986 "Legal and Motivational Aspects of Supervision - An Overview". An in service educational program for the staff of the Visiting Nurse Association Home Health Services of Greater Kansas City.
- January, 1986 "Basic Supervisory Effectiveness." A seminar sponsored by the Green Hills Hospital Association.
- October, 1985 "AIDS In The Work Place." A seminar for the Kansas City Area Hospital Association.
- October, 1985 "Current Trends And Methods in Union Organizing Activity." A seminar for the Kansas City Area Hospital Association.
- May, 1985 "Sexual Harassment--A View From the Defense Bar." The Kansas City Metropolitan Bar Association Biennial Labor-Management Conference.
- March, 1985 "Contemporary Employment Issues and Labor Relations Update." Mid-West Health Congress.
- November, 1984 "Employment Issues and Labor Relations Update." A presentation to the annual meeting of the Missouri Hospital Association Personnel Administrators.
- November, 1983, 1985 "Labor Law and Employee Relations Update." A discussion of the latest trends in labor law and employee relations in such areas as employment at will, equal opportunity and related matters. Presentations before the annual meetings of the Missouri Society of Hospital Attorneys.
- Fall, 1983 "Basic Supervisory Effectiveness." A series of seminar updates sponsored by the Missouri Hospital Association.
- November, 1982 "Whatever Happened to Employment-At-Will?" A presentation to the Annual Convention of the Missouri Society of Hospital Attorneys.
- October, 1982 "Discipline and Grievance Handling." A presentation to Kansas City Area Hospital Association Personnel Administrators.
- May, 1982 and November, 1985 "Basic Supervisory Effectiveness." A series of seminars sponsored by the Missouri Hospital Association.
- October, 1981 "Advanced Supervisory Effectiveness." A series of seminars sponsored

by the Missouri Hospital Association.

- September, 1981, 1982 and 1983 "Are the Laws Which Require Payment of Minimum Wages and Premium Pay for Overtime Good for Our Country?" A panel presentation to Rotary Club's Camp Enterprise.
- May, 1981 "Current Problems in Employee Discipline." A presentation to the Missouri Hospital Association Personnel Administrators (repeated in July for the Kansas City Area Hospital Association personnel administrators).
- April, 1981 "Record Retention Requirements Relative To Employee Health Matters." A presentation to Kansas City Area Hospital Association Personnel Administrators.
- March, 1981 "Minimum Wage Pro and Con." A presentation of the negative side of the issue on a two hour radio broadcast with Walt Bodine.
- December, 1980 "The Westport Experience." A presentation to the Research Medical Center Symposium on Community Development.
- October, 1980 "Labor Unions: Are They Too Powerful." A presentation of the affirmative side of the issue on a four hour radio broadcast with Walt Bodine.
- September, 1980 "Effective Employee Relations - An Overview." A series of supervisory training sessions sponsored by the Missouri Hospital Association.
- January, 1980 "A Management Viewpoint of the National Labor Relations Act." A tripartite panel on the National Labor Relations Act presented to the Rockhurst College Graduate School of Business Administration Executive MBA Program.
- October, 1979 "Employee Relations Workshop." Presentation to the National Conference of Catholic Charities.
- October, 1979 "The Pros and Cons of Unionization for Health Professionals." A continuing education program seminar for the UMKC College of Arts and Sciences.
- April, 1979 "School Negotiations." Presentation to the Annual Meeting of the Missouri Association of School Business Officials.
- October, 1978 "The Law Firm As An Employer." A presentation to the Conference of Leading Law Firms in New Orleans, Louisiana sponsored by the Institute for Improved Legal Services.
- September, 1978 "How to Hire and Fire - Without Getting Into Trouble." A presentation to the Kansas City, Kansas Chamber of Commerce.
- November, 1974 "The Union-Free Hospital and How to Keep It Free." A seminar for hospital managers and supervisors on preventive unionization sponsored

by Management Science Associates.

January, 1970 "Labor Relations for the Small Business Executive." 18 hour adult education seminar sponsored by University of Missouri Extension Division.

Publications

"Reform is Essential." The Kansas City Star, Business Forum, October 14, 2008

"Health Care Purchasing: We Must Reshape the Market in Which We Buy." Missouri Business published by Missouri Chamber of Commerce and Industry, 2006 Issue.

"Specialty Hospitals: Unnecessary and Harmful." Healthcare Financial Management Association, Winter 2004

"Understanding the Health Care Crisis." The Kansas City Star, Business Forum, November 11, 2003

"To Irresponsible Health System Growth, Say 'No More'." Kansas City Star, July 22, 2003.

"Collective Bargaining Units in The Health Care Industry", American Hospital Association Office of Legal and Regulatory Affairs Legal Memorandum No. 16, July, 1991, co-author with Rhonda Rhodes and others.

"The Americans With Disabilities Act: A Practical Guide for Hospitals," American Hospital Association Office of Legal and Regulatory Affairs Legal Memorandum No. 15, February, 1991, co-author with Saul G. Kramer and others.

"The New NLRB Bargaining Unit Rules: Hospitals Prepare Yourselves," American Hospital Association Legal Memorandum No. 11, May, 1989, co-author with Rhonda Rhodes and others.

"Report of the Peer Review Immunity Task Force," American Hospital Association, December, 1989, co-author with Virginia H. Hackney and others.

"Dealing With Physicians As Employees," a chapter in Handbook of Health Care Human Resources Management, 2nd Edition.

"The Law of Substance Abuse For Healthcare Providers", American Hospital Association Legal Memorandum No. 11, September, 1987, Task Force Chairman and Editor.

"The Rights And Protections Of Confidential Employees", University of Missouri Law Review, Vol. 51 No. 2, Spring 1986, with Georgann H. Eglinski.

"AIDS & Hospitals - The Emerging Legal Issues", Special Supplement Hospital Law Manual, Aspen Publications, March 1986; with David L. Wing.

Book Review in January-February 1986 issue of Health Progress, "Hospital Restructuring: Employment Law Pitfalls" by Steven Erf and Julie Badel.

"Report of the Comparable Worth Task Force", American Hospital Association, January, 1986, co-author with William Emmanuel and others.

"Legal and Labor Relations Implications in the Hiring of Attorneys," Your New Lawyer, American Bar Association, 1983.

"The Law Firm As An Employer," Legal Economics, March/April 1982; with L. Camille Hebert.

"The Porter Case and Board Remedies" Fall 1970 proceedings of the Southwestern Legal Foundation published by Matthew Bender; with Harry L. Browne.

Civic

Kansas Health Policy Authority Board - Member, Board of Directors (2005-present); Finance Committee (2006-present).

Kansas Health Care Data Governing Board - Member, Board of Directors (2004- 2005).

Joint Commission Resources - Member, Board of Directors (2004-present).

Mid-America Coalition on Health Care - Board of Directors (1990-1992; 1993-present), Treasurer (1990-1992) Chairman (2001-2003).

Truman Medical Center Charitable Foundation - Board of Directors (1986-present); President (1989-2001); Emeritus Board (2002-2006).

Truman Medical Center - Board of Directors and Executive Committee; Finance Committee (1976-1984); Clinical Research Review Board (1977-1980); Joint Professional Conference Committee (1980-1984) - Chairman (1981-1984); Secretary of the Board (1981-1982); President-Elect (1982-1984); President (1984-1986); Chairman (1986-1988); Chairman Emeritus (1988-1990); Advisory Board (2002-present); Audit Committee (2003-2006).

Children's Mercy Hospital - Central Governing Board (1990-1996); Public Affairs Committee (1989-present); Long Range Planning Committee (1989-1996); Finance Committee (1990-present); Ethics Committee (1994-2002).

City of Kansas City, Missouri Retirement Task Force (1996-1997).

City of Kansas City, Missouri FOCUS Project, Human Investment Work Team and Health Care Work Team (1996-1997).

Missouri Health Systems Partnership - Member of statewide Task Force appointed by Governor Mel Carnahan (1995-1997).

University of Missouri Kansas City Bloch School of Management, Human Resources
Advisory Council - Member (1992-1997)

Kansas City, Missouri School District - Board of Directors
(1990-1994); Chairman Finance and Audit Committee (1990-1994).

Kansas City Area Hospital Association - Representative from Truman Medical Center
(1978-1993); Member, Board of Directors (1986-1993); Executive Committee (1987-
1993); Secretary (1989-1990); Chairman Elect (1990-1991); Chairman (1991-92);
Immediate Past-Chairman (1992-1993).

Greater Kansas City Chamber of Commerce - State Affairs Committee (1992-
present); Metropolitan Affairs Committee (1985-1992); Development Committee
(1985-1987).

The Civic Council of Greater Kansas City - Member (1988-1992).

American Hospital Association - Ad Hoc Labor Relations Advisory
Committee (1983-Present); Comparable Worth Task Force (1985-86); Task Force on
Trends in Controversy in Health Law (1986); Task Force on Substance Abuse,
Chairman (1986-1988); Ad Hoc Committee on testing employees for drug and alcohol
abuse (1991-92).

Missouri Hospital Association - Labor Relations Committee (1979-1992).

National Conference of Christians and Jews, Kansas City Chapter - Board of Directors
(1981-1990).

Kansas City Missouri Tax Increment Financing Commission - Member and Vice-
Chairman (1986-1987), Chairman (1987-1990), Member (1990-1994).

Northwest Missouri Trauma Society - Board of Directors (1986-1990).

Kansas City Consensus - Incorporator; Member and Secretary of
Initial Interim Board of Directors (1983-1984); Task Force on Health Care for the
Indigent (1984-1989).

Kansas City Cares Committee - Treasurer (1988-1989).

Pembroke Hill School Faculty-Staff Relations Committee - Member (1986-1989).

Roanoke Protective Homes Association - Board of Directors, Secretary (1976-79,
1985-1988); Newsletter Editor (1981-1988).

Governor's Blue Ribbon Commission on Medicaid Formulary Assessment - Member,
Executive Committee (1987-1988).

Midwest Bioethics Center - Member, Board of Directors (1987-1988).

Kansas City Missouri Citizens Advisory Committee on Capital Improvements - Member (1986-1988)

Hospital Hill Health Services Corporation - Board of Directors (1984-1988); President (1986-1988).

Missouri Department of Social Services, Division of Aging Director Search Committee - Co-Chairman (1988).

Kansas City, Missouri City Manager's Task Force on Indigent Health Care - Member (1986-1988).

Citizens Association of Kansas City - Board of Directors (1985-1987); Board of Governors (1971-1987); Secretary (1981-82); Planning and Strategy Committee (1971); Bylaw Revision Committee (1971); Chairman, Nominating Committee (1972, 1973 and 1974); Executive Committee (1972-75); Treasurer (1972-75); Chairman, Forum on Campaign Finance Reform (1974).

Heeter for Mayor Committee (1987) - Campaign Manager for Kansas City mayoral campaign.

Jackson County Cares Committee - Treasurer (1984)

Kansas City Missouri City Plan Commission - Member (1979-1983).

Unsuccessful candidate for Kansas City, Missouri City Council (1975, 1983).

Bound to Win - a not-for-profit outdoor adventure educational program operated under the auspices of the Allendale Educational Foundation - Board of Directors (1978-1981) Converted to Wildwood Educational foundation - Board of Directors (1981-approximately 1988).

Kansas City Demonstration Neighborhoods Program - Management Committee (1976-80).

Westport Tomorrow, Inc. - (formerly Broadway Westport Community Development Corporation) Board of Directors (1976-1979); President (1977-78).

Rockhurst College Alumni Chapter of Alpha Sigma Nu - Vice-President (1974-75); President (1975-79).

Alternative Futures Program - participant (1974).

White House Fellows Program - National Finalist (1972 and 1973).

Jackson County, Missouri Committee for County Progress - Board of Directors (1972-present); Executive Committee (1972-73).

Kansas City Halfway House Foundation - a not-for-profit corporation operating a

transitional facility for former mental patients (the only such facility in the State of Missouri); Board of Directors (1970-73); President (1971-72); Secretary (1972-73).

M.E.D.I.C., Inc. (Mobile Educational Drug Information Center) - a not-for-profit corporation which constructed and funds a mobile drug information center; Board of Directors (1971-72); Board of Trustees (1972-73); organized a fund raising project with local merchants' association by sponsorship of a symphony orchestra appearance (1971).

Our House Foundation - a not-for-profit corporation which owned a community center in a low income area of Kansas City, Missouri Board of Directors (1971- 72)

Junior Chamber of Commerce of Kansas City - Vice President for Community and Government Affairs with responsibility for organizing all projects of a community and governmental nature for a chapter with a membership of 500 men (1971-72); organized Junior Champ Track Meet project (1969, 1970); Committeeman of the First Six Months (1970-71); Spark Plug Participation Award (1971, 1972); organized Speakers' Bureau to promote passage of Jackson County, Missouri Home Rule Charter (1970) including analysis of proposed Charter, recruiting and briefing a group of speakers and handling scheduling of speakers.

Newman for County Legislature Committee (1972) - Campaign Manager managing successful county-wide primary and general election campaigns of an at-large candidate for a seat in the first Jackson County legislature. Duties included typical campaign manager responsibility such as volunteer recruitment and organization, media contacts, mapping of campaign strategy and handling other miscellaneous matters.

Lowenstein for Legislature Committee (1972) - Served as campaign coordinator in successful general election campaign of candidate for state legislature who defeated an eight-year incumbent by a substantial margin in a formerly solid Democratic district. Duties included organization and training of volunteers, research and analysis of incumbent's legislative record, preparation and supervision of direct mail campaign and other miscellaneous assignments.

Shaughnessy for Councilman Committee (1971) - Public Relations Chairman and speech writer.

Jaycee Housing '70, Inc. - a not-for-profit corporation engaged in the Construction of FHA 235 low income housing; Board of Directors; legal counsel for the corporation.

21st Century Committee, member of a bipartisan citizens committee which successfully promoted the passage of the Jackson County, Missouri Home Rule Charter (1970).

Awards and Honors

Kansas City Metropolitan Medical Society Lay Honor Award (1996).

Gillis Center Spirit Award (1994).

Appear in The Best Lawyers in America (1991-1992).

Missouri Hospital Association Excellence in Governance Award (1989).

Kansas City Consensus and Heart of America United Way Award for Volunteer Service and Leadership in the Field of Indigent Health Care (1989).

State of Missouri Department of Social Services Distinguished Social Services Award (1987).

Appear in Who's Who in American Law (1980-1983).

Appear in 1971 edition of Outstanding Young Men in America.

Appear in 1971 edition of Personalities of the West and Midwest.

Miscellaneous

Registered lobbyist in state of Missouri (former).

Lecturer in Philosophy, Rockhurst College (1968-72).

Rockhurst College Alumni Board (1969-70).



Sec. of St. bar code

KANSAS GOVERNMENTAL ETHICS COMMISSION

STATEMENT OF SUBSTANTIAL INTERESTS FORM

INSTRUCTIONS. This statement (pages 1 through 4) must be completed by individuals who are required to do so by law. Any individual who intentionally fails to file as required by law, or intentionally files a false statement, is subject to prosecution for a class B misdemeanor.

Please read the "Guide" and Definition" section provided with this form for additional assistance in completing sections "C" through "G". If you have questions or wish assistance, please contact the Commission office at 109 West 9th, Topeka, KS or call 785-296-4219.

A. IDENTIFICATION: PLEASE TYPE OR PRINT

Holland, Jr. E. J.
Last Name First Name MI

Spouse's Name

3674 Bellview Ave.

Number & Street Name, Apartment Number, Rural Route, or P.O. Box Number

Kansas City, MO 64111

City, State, Zip Code

816-678-8132 913-345-7999

Home Phone Number (include area code) Business Phone Number (include area code)

B. THIS FORM IS REQUIRED TO BE FILED BECAUSE YOU ARE:

(check one or more of the following)

- 1. State Elected Official (Governor, Lt. Governor, Attorney General, Commissioner of Insurance, State Treasurer, Secretary of State, State Senator, State Representative, Member of State Board of Education, or District Attorney);
2. Appointed Member of a State Board, Council, Commission or Authority;
3. Appointed State Position is Subject to Senate Confirmation;
4. Employee of a State Agency or University;
5. General Counsel for State Office;
6. Candidate for State Office;
7. Other (Contractor / Member of Compact).

List Name of Agency, Board, University or Elected Position (You may use abbreviations but not acronyms)

Kansas Health Policy Authority Board Position

Agency Division if applicable (May use acronyms) Position

* The last four digits of your social security number will aid in identifying you from others with the same name on the computer list. This information is optional.

5300

C. **OWNERSHIP INTERESTS:** List any corporation, partnership, proprietorship, trust, joint venture and every other business interest, including land used for income, and specific stocks, mutual funds or retirement accounts in which either you or your spouse has owned within the preceding 12 months a legal or equitable interest exceeding \$5,000 or 5%, whichever is less. If you or your spouse own more than 5% of a business, you must disclose the percentage held. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "C", check here .

BUSINESS NAME AND ADDRESS	TYPE OF BUSINESS	DESCRIPTION OF INTERESTS HELD	PERCENT OF OWNERSHIP INTERESTS	HELD BY WHOM
1. Embury Corporation 5454 W. 110th St, OP KS	Telecommunications	Stock	\$ > 5000	self
2. Sprint Corporation 6200 Sprint Parkway, OP KS	Telecommunications	Stock	\$ > 5000	self
3. Manulife Financial Corporation 200 Bloor St. East Toronto, Canada	Insurance	Stock	\$ > 5000	self
4. Prudential Financial Ins. 751 Broad St. Newark, N.J	Insurance	Stock	\$ > 5000	self
5. IRAs - Wealth Management 4000 W. 114th St. Ste. 160, Lawrence, KS	Individual IRAs	Mutual Funds & other Investments Ownership	\$ > 5000	self
6. John Hancock Life Ins. 200 Bloor St. East Toronto, Canada	Insurance	Insurance Policy	100%	self
7. Prudential Life Ins. 751 Broad St. Newark, N.J	Insurance	Insurance Policy	100%	self
8.				
9.				
10.				

D. **GIFTS OR HONORARIA:** List any person or business from whom you or your spouse either individually or collectively, have received gifts or honoraria having an aggregate value of \$500 or more in the preceding 12 months.

If you have nothing to report in Section "D", check here .

NAME OF PERSON OR BUSINESS FROM WHOM GIFT RECEIVED	ADDRESS	RECEIVED BY:
1.		
2.		
3.		

3-27

E. RECEIPT OF COMPENSATION: List all places of employment in the last calendar year, and any other businesses from which you or your spouse received \$2,000 or more in compensation (salary, thing of value, or economic benefit conferred on in return for services rendered, or to be rendered), which was reportable as taxable income on your federal income tax returns.

1. YOUR PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR. IF SAME AS SECTION "B", CHECK HERE ____.
 If you have nothing to report in Section "E"1, check here ____.

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.	Emberg Corporation	5454 W. 110th DR, KS	Telecommunications
2.			

2. SPOUSE'S PLACE(S) OF EMPLOYMENT OR OTHER BUSINESS IN THE PRECEDING CALENDAR YEAR.
 If you have nothing to report in Section "E"2, check here .

	NAME OF BUSINESS	ADDRESS	TYPE OF BUSINESS
1.			
2.			

F. OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS: List any organization or business in which you or your spouse hold a position of officer, director, associate, partner or proprietor at the time of filing, irrespective of the amount of compensation received for holding such position. Please insert additional page if necessary to complete this section.
 If you have nothing to report in Section "F", check here ____.

	BUSINESS NAME AND ADDRESS	POSITION HELD	HELD BY WHOM
1.	Joint Commissions Resources One Linden Ctr. Ste. 1340 Oakbrook Terr. J.L.	Board of Director	E.J. Holland, Jr.
2.	Mid-America Coalition on Healthcare One West Armour Road, KC, MO	"	"
3.			
4.			
5.			
6.			
7.			
8.			

In addition see attached Curriculum Vitae

- G. RECEIPT OF FEES AND COMMISSIONS:** List each client or customer who pays fees or commissions to a business or combination of businesses from which fees or commissions you or your spouse received an aggregate of \$2,000 or more in the preceding calendar year. The phrase "client or customer" relates only to businesses or combination of businesses. In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision. Please insert additional page if necessary to complete this section.

If you have nothing to report in Section "G", check here .

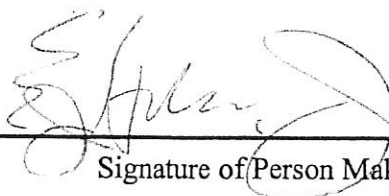
	NAME OF CLIENT / CUSTOMER	ADDRESS	RECEIVED BY
1.			
2.			
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10.			
11.			
12.			
13.			

H. DECLARATION:

I, E.J. Holland, Jr, declare that this statement of substantial interests (including any accompanying pages and statements) has been examined by me and to the best of my knowledge and belief is a true, correct and complete statement of all of my substantial interests and other matters required by law. I understand that the intentional failure to file this statement as required by law or intentionally filing a false statement is a class B misdemeanor.

7/6/08

Date



Signature of Person Making Statement

NUMBER OF ADDITIONAL PAGES _____.

Return your completed statement to the Secretary of State, Elections Division, Memorial Hall, First Floor, 120 SW 10th, Topeka, Kansas 66612-1594.

3-29

GUIDE

- A-B. NAME & POSITION: Self explanatory. See K.A.R. 19-41-3(a).
- C. OWNERSHIP INTERESTS: The value or percentage of a business interest is to be determined as of the time of the required filing. The value assigned to a holding is the fair market value. For the purpose of this section, certificates of deposit, bank savings or checking accounts in a savings and loan, shares in a credit union, life insurance policies, annuities, notes, bonds, debentures and mortgages need not be disclosed under this provision. Ownership of other stocks and shares, including traded and closely held stocks as well as shares in mutual funds, shall constitute legal or equitable interest for the purpose of this section. Business interests include, among other things, property held for rental, farming, commercial purposes and ownership of mineral rights. Also included are businesses operated out of your home; i.e., photography, babysitting, crafts. The address reported for land without a street address should include the rural route, town and state or township, county and state. **For the purpose of this section, certificates of deposit, bank savings or checking accounts in a savings and loan, shares in a credit union, life insurance policies, annuities, notes, bonds, debentures and mortgages need not be disclosed under this provision.** See K.A.R. 19-41-3(b) and Governmental Ethics Commission Opinion 2000-52.
- D. GIFTS OF HONORARIA: If a gift is received for which the value is unknown, you are required to list the donor. You are not required to list the donor of a gift (1) if the gift or bequest was received as the result of the death of the donor; (2) if the gift was from a spouse, parent, grandparent, sibling, aunt or uncle; or (3) if acting as a trustee of a trust for the benefit of another. See K.S.A. 46-229(c).
- E. COMPENSATION: The disclosure required under this section shall include the name and address of the business or combination of businesses, the type of business and a description of whether the compensation was received by the individual, the individual's spouse, or both. The receipt of interest, dividends and mineral royalties does not constitute "compensation" as the term is defined, and those matters need not be reported under this provision; however, ownership interest concerning these items may need to be reported under section "C." See K.A.R. 19-41-3(c).
- F. OFFICER OR DIRECTOR OF AN ORGANIZATION OR BUSINESS: The disclosure under this section shall include the name and address of the business and the position held. Holding the position of administrator or executor of an estate shall not be considered reportable under this section. See K.A.R. 19-41-3(e). The holding of a position of officer or director of an organization or business includes for profit and nonprofit organizations.
- G. RECEIPT OF FEES AND COMMISSIONS: The disclosure under this section shall include the name and address of the client or customer and a description of whether the fees or commissions were received by the individual, the individual's spouse, or both. In the case of a partnership, it is the partner's proportionate share of the business, and hence of the fee, which is significant, without regard to expenses of the partnership. See K.A.R. 19-41-3(d). An individual who receives a salary as opposed to portions of fees or commissions is generally not required to report under this provision.

Office of Revisor of Statutes
300 S.W. 10th Avenue
Suite 010-E, Statehouse
Topeka, Kansas 66612-1592
Telephone (785) 296-2321 FAX (785) 296-6668

MEMORANDUM

To: Chairman Emler and members of the Senate Ways and Means Committee
From: Jill Ann Wolters, Senior Assistant Revisor
Date: March 17, 2009
Subject: HB 2222, as amended by House Committee, collection of licenses, fees, charges, taxes and exactions (fees) by state agencies

House Bill No. 2222, as amended by House Committee, authorizes any state department, agency, commission or authority which is obligated by statute to collect any fees to impose a surcharge or discount of not to exceed 5% of the amount of such fees in order to enhance the efficiency of such agency.

Any such agency which elects to do so, shall adopt rules and regulations:
(1) To establish the specific surcharge or discount; and
(2) to state the efficiency goals to be achieved, which may include, but are not limited to, insuring that the surcharge or discount has measured benefits of efficiency to the agency and customers.

The bill would take effect upon publication in the statute book.

Senate Ways & Means Cmte
Date 3-17-2009
Attachment 4

Office of Revisor of Statutes
300 S.W. 10th Avenue
Suite 010-E, Statehouse
Topeka, Kansas 66612-1592
Telephone (785) 296-2321 FAX (785) 296-6668

MEMORANDUM

To: Chairman Emler and members of the Senate Ways and Means Committee
From: Jill Ann Wolters, Senior Assistant Revisor
Date: March 17, 2009
Subject: SB 308, 20% administrative fee paid to sfg by state agencies for administrative costs

Senate Bill No. 308 would increase the cap from \$200,000 to \$350,000 that state agencies pay into the state general fund for administrative costs.

Under current law, certain state agencies pay 20% to the state general fund to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services, and any and all other state governmental services, which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services. The 20% is capped at \$200,000.

As technical clean-up matters, the following statutes were deleted from the statute:

K.S.A. 2-3506: not in print, the commission was abolished in 1994.

K.S.A. 16-609: repealed in 1999, ch. 166.

K.S.A. 17-5609: repealed in 1994, ch. 33.

K.S.A. 17-5612: Expenses currently paid pursuant to K.S.A. 9-1703, which contains the 20% reference.

K.S.A. 65-4610: repealed in 2007, ch. 95.

K.S.A. 84-9-411: repealed in 2000, ch. 142.

K.S.A. 84-9-413: repealed in 2000, ch. 142.

Further, the following statutes were added, as they include the 20% language:

K.S.A. 36-512, 65-1951, 65-6910, 65-7210, 74-6708 and 75-3170 and K.S.A. 2008 Supp. 65-4024b, 65-7309, 74-50,188 and 84-9-801.

The bill would take effect upon publication in the statute book.

Senate Ways & Means Cmte

Date 3-17-2009

Attachment 5



KANSAS

DENNIS ALLIN, M.D., CHAIR
ROBERT WALLER, EXECUTIVE DIRECTOR

KATHLEEN SEBELIUS, GOVERNOR

BOARD OF EMERGENCY MEDICAL SERVICES

Testimony

Date: March 15, 2009

To: Senate Committee on Ways and Means

From: Robert Waller, Executive Director

Re: 2009 Senate Bill (SB) 308

Status: Neutral

Chairman Emler and members of the Senate Committee on Ways and Means, my name is Robert Waller. I am the Executive Director for the Kansas Board of Emergency Medical Services (KBEMS). I would like to provide testimony on 2009 Senate Bill 308.

The Board is neutral on the bill, due only to the decision by the Committee to forego the reduction of 10 to 18 percent in agency operations and grant funding for FY 2010. The Board understands the current economic outlook for the State and would like to maintain the current operations with no additional reduction to the request year (FY 2010) outside of those outlined in 2009 SB 308.

To ensure Legislative intent, the Board offers an amendment to complete the provisions contain within 2009 SB 308. Current law does not mandate that the provisions of K.S.A. 75-1514 (the 20 percent deposit of fee remittance to the State General Fund) apply to the Kansas Board of Emergency Medical Services operating fund. Therefore, the Board is moved to forward said information to the Committee to ensure that 2009 SB 308 in implemented if passed. The amendment is attached.

Conclusion

By no means, does the KBEMS Board welcome a reduction in funding to the EMS Operating Fund. The Board has been fiscally responsible in allocating funding provided by the Legislature in conducting both its statutory duties and operating three (3) grant program (Kansas Emergency Medical Information System (KEMIS), KBEMS Revolving and Assistance Fund (KRAF) grant program, and the Education Incentive Grant (EIG) program). Again, the Board understands the current fiscal status of the State and would hope that the passage of 2009 SB 308 marks the only reduction in funding for 2010 and would be accounted for and reviewed during future Legislative Budget cycles.

Thank you for allowing testimony on 2009 SB 308.

75-1514

**Chapter 75.--STATE DEPARTMENTS; PUBLIC OFFICERS AND EMPLOYEES
Article 15.--STATE FIRE MARSHAL**

75-1514. Same; remittance and disposition of tax proceeds; fire marshal fee fund; emergency medical services board operating fund; fire service training program fund. (a) The commissioner of insurance shall remit all moneys received by the commissioner under subsection (a) of K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the ~~fire marshal fee fund~~ for the fiscal years ending June 30, 2003, and June 30, 2004, and the state treasurer shall credit 20% of each such deposit to the state general fund and shall credit the remainder of each such deposit to the ~~fire marshal fee fund~~ for the fiscal year ending June 30, 2005, and ensuing fiscal years.

(b) There is hereby created the fire marshal fee fund in the state treasury. All expenditures from the fire marshal fee fund shall be made in accordance with appropriations acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the state fire marshal or a person or persons designated by the state fire marshal.

(c) The commissioner of insurance shall remit all moneys received by the commissioner under subsection (b) of K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the emergency medical services board operating fund.

(d) The commissioner of insurance shall remit all moneys received by the commissioner under subsection (c) of K.S.A. 75-1508, and amendments thereto, to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the fire service training program fund.

History: L. 1983, ch. 278, § 1; L. 1992, ch. 220, § 3; L. 2001, ch. 5, § 368; L. 2002, ch. 147, § 3; L. 2004, ch. 49, § 2; Apr. 15.

2009 SB 308
64 % - Fire Marshal Fee fund totaling \$224,000
20% - EMS Operating Fund totaling \$70,000
16% - Fire service training program fund - total \$56,000

6-2

Ways and Means Committee
March 17, 2009

Testimony in Opposition of SB 308

Mary Blubaugh MSN, RN
Executive Administrator

Good Morning Chairman Emler and Members of the Ways and Means Committee. My name is Mary Blubaugh, Executive Administrator for the Kansas State Board of Nursing. I am providing testimony on behalf of the Board Members to voice opposition to SB 308 which will increase the administrative fee cap charged to agencies from \$200,000 to \$350,000.

I have attached the 404 spreadsheet that was prepared by the Division of the Budget on 12/30/2008. The board of nursing fee fund at the end of fiscal year 08 was \$613,697. In FY 09 the report shows the fee fund at \$391,996. Since the report was completed the amount transferred to SGF was \$37,088, instead of \$55,647, which makes the balance \$410,555. Below is a table which estimates the fee fund balance of KSBN if the administrative fee is increased to \$350,000 and all revenues and expenditures remain the same as in the 404 dated 12/30/2008. At the end of FY 11 the agency will have less then \$40,000 as the balance; and it is projected that in FY 12 the agency will have a negative balance.

	FY 08 Actual	FY 09 Adjusted	FY 10 Estimated	FY 11 Estimated
Cash Forward	\$565,560	\$613,697	\$410,555	\$103,844
SGF Transfer	\$200,000	\$200,000	\$350,000	\$350,000
Fee Fund Transfer	0	\$37,088	\$122,261	0
Balance Forward	\$613,697	\$410,555	\$103,844	\$36,696

KSBN is at the statutory caps on all initial and renewal fees of licenses. The fees KSBN receives from initial and renewal are over 75% of the revenue. KSBN has introduced a bill twice asking that the caps be raised. The bills did not make it out of committee.

All state agencies have an administrative fee of 20% of revenue up to the cap of \$200,000 for services they receive. Although the agencies pay the administrative fee, they also pay many other fees to the state such as rent, security card reader, monumental building surcharge, printing, data connections, data center space, disc support, central mail

assessment, enterprise application, and FMS. Some of the fees that agencies pay are an assessment fee for using the services. I am sure I have not listed all the charges agencies are billed for. Below is a table that lists charges KSBN has paid for state services and an estimate for FY 11.

Fee for service	FY 08 Actual	FY 11 Estimate
Rent (Landon)	\$119,894 (\$16.13/sq ft)	\$127,029 (\$17.09/sq ft)
Monumental Building Surcharge	\$16,278 (\$2.19/sq ft)	\$20,663 (\$2.78/sq ft)
Security Card Reader	\$384 (\$32/month)	\$408 (\$34/month)
Central Mail Assessment	\$8,980	Determined based on each agencies share of the previous years total (FY 09 assessment was \$9,675)
Financial Management System	\$1,787	Based on Stars transactions. In FY 09 the cost is .38 and in FY 11 it will be .67
Data Connection	\$22,844 (40 per node)	\$23,460 (42.50 per node) KSBN has decreased number of nodes by 6
Disc enterprise application	\$2,702 (2.5% of charge)	Helps offset the maintenance and operating costs for ShaRP, Stars and BMS. It is based on the number of lines that go through ShaRP in a payroll period.

I have attached a copy of the budget cost indices that all state agencies use as a guideline to prepare their budget.

KSBN is in the process of installing new database software. The current system was installed in 1999 and we have not had support or maintenance on it for at least three years. The KSIP account was budgeted purchase a new back up system, firewalls, upgrade the image system, and the purchase of two new servers. These systems have, or will soon, come to end of life and we will have no maintenance on them. These are vital to the on line services that we provide. Approximately 65-70% of nurses renew their license on line and we currently have over 60 facilities who subscribe to the KANN Check system. Not only are the on-line services beneficial to our licensees and staff, they are also an important part of public safety for the citizens of Kansas. The KSIP account and capital outlay were the line items that the equipment and software were to be purchased from. Without the funds to purchase the software and hardware; these systems are at risk of failing. KSBN had also requested a supplement for FY 10 and FY 11 for \$18,260 for maintenance of the new software. Although the Board understands the state is facing fewer revenues and must cut spending, we ask that as a fee funded agency we

are appropriated the funds needed to purchase the equipment and the maintenance fee for the new software.

Thank you for giving me the opportunity to share this information with you and we ask that the committee vote no on SB 308. Thank you for your time and consideration and I will stand for questions.

404 Aggregate Report

404 Agg - 404 Aggregate Report

7-4-7

Agency: 00482 Board of Nursing

Version: 2010-J-01-00482

Series: 2716 BOARD OF NURSING FEE FUND

	08 Actuals	FY 09 Adjusted Budget Request	FY 10 Adjusted Budget Request	FY 11 Adjusted Budget Request
R0007 CASH FORWARD				
R0004 TRANSFERS	565,560	613,697	391,996	235,285
R0015 KSIP SWEEP TO SGF	0	(200,000)	(200,000)	(200,000)
R0024 Fee Fund Transfer To SGF	0	(50,460)	0	0
R2040 CHARGES-CLERICAL SERV. ISSUE C	0	(55,647)	(122,261)	0
R2099 OTHER SERVICE CHARGES	32,571	33,000	35,000	35,000
R2110 LICENSE FEE - RENDER PERSONAL	23,714	25,000	25,000	26,000
R2220 STATE PRINTED MATTER AND PUBLI	1,780,788	1,845,890	1,873,310	1,889,180
R6290 OTHER REIMBURSEMENTS AND REFUN	550	0	0	0
R6602 OPERATING TRANSFERS OUT	120	0	0	0
Total Available	0	0	0	0
Total Reportable Expenditures	2,403,303	2,211,480	2,003,045	1,985,465
Total Expenditures	1,789,606	1,819,484	1,767,760	1,817,328
Balance Forward	1,789,606	1,819,484	1,767,760	1,817,328
KANSAS	613,697	391,996	235,285	168,137
404 Aggregate Report				

vhelsel / 2010-J-01-00482

Budget Cost Indices: Cost indices for FY 2009 and FY 2010 are provided as guidelines to be used by all state agencies in preparing their budget requests. The FY 2011 indices are provided for biennial agencies.

Salaries and Wages

Salary Adjustments Agencies should not budget for step movement or a base salary adjustment. Any adjustments to the salary plan will be handled on a statewide basis.

Longevity Bonus Payments Longevity bonuses should be budgeted at \$50 per year of service for employees hired prior to June 15, 2008 (KSA 75-5541, as amended by 2008 HB 2916).

	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>
Shift Differential for Regular Employees			
(per hour or 10% of base salary)	\$0.30	\$0.30	\$0.30
Shift Differential for Highway Patrol Troopers	0.75	0.75	0.75
Shift Differential for Employees Covered by KOSE.....	0.50	0.50	0.50
Retention Incentive Diff. for Building Trades Employees	0.30	0.30	0.30

Rates for Computing Fringe Benefits

KPERS Regular and School Member Retirement			
Retirement Rate	6.97 %	7.57 %	8.17 %
Death & Disability Insurance.....	1.00	1.00	1.00
Composite Total.....	7.97 %	8.57 %	9.17 %
TIAA Members Current Service			
Retirement Rate	8.50 %	8.50 %	
Death & Disability Insurance.....	1.00	1.00	
Composite Total.....	9.50 %	9.50 %	
Judges Retirement			
Retirement Rate & Disability Benefits	22.08 %	20.50 %	
Death Insurance	0.40	0.40	
Composite Total.....	22.48 %	20.90 %	
Deferred Compensation			
Retirement Rate	8.00 %	8.00 %	
Death & Disability Insurance.....	1.00	1.00	
Composite Total.....	9.00 %	9.00 %	
Retirees Returning to Different Employer (state).....	11.35 %	11.34 %	
Retired Nurses Returning to Same Employer.....	7.35 %	7.34 %	

	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>
Security Officer Retirement—Group A—Age 55			
Retirement Rate	7.44 %	8.04 %	8.64 %
Death & Disability Insurance.....	1.00	1.00	1.00
Composite Total.....	8.44 %	9.04 %	9.64 %
Security Officer Retirement—Group B—Age 60			
Retirement Rate	7.30 %	7.90 %	8.50 %
Death & Disability Insurance.....	1.00	1.00	1.00
Composite Total.....	8.30 %	8.90 %	9.50 %
KBI ¹	14.56 %	13.38 %	
Highway Patrol State Troopers ¹	15.01 %	13.38 %	
Highway Patrol CASP & Motor Carrier Inspectors, State Fire Marshal, and Regents ¹	13.80 %	13.38 %	
FICA Rate (Composite Rate for OASDI—6.2% and Medicare—1.45%)	7.65 %	7.65 %	7.65 %
Maximum Salary for OASDI (none for Medicare)			
Paychecks issued July 1-December 31, 08, 09, 10	\$102,300	\$106,800	\$111,600
Paychecks issued January 1-June 30, 09, 10, 11.....	106,800	111,600	116,400
Unemployment Insurance Assessment	0.17 %	0.12 %	0.12 %
State Leave Payment Assessment.....	0.50 %	0.57 %	0.57 %
Single Member Health Insurance Premium (Monthly)²			
Full-Time Employees.....	\$401.06	\$419.11	\$450.54
Part-Time Employees (minimum of 1,000 Hours)	319.46	333.84	358.87
Dependent Health Insurance Premium (Monthly)			
Full-Time Employees.....	185.60	193.95	208.50
Part-Time Employees (minimum of 1,000 Hours)	146.76	153.36	164.87
Workers Compensation Assessment			
Experienced-based Rates by Agency:			
Abstracters Board of Examiners	1.543 %	1.844 %	1.790 %
Board of Accountancy	1.028	0.339	0.350
Department of Administration	1.207	1.853	
Attorney General.....	0.898	0.215	
Banking Department	0.877	0.339	0.350
Board of Barbering	1.035	0.361	0.350
Behavioral Sciences Regulatory Board	0.996	0.339	0.350
Citizens Utility Ratepayer Board.....	1.006	0.339	

¹ Composite total, including retirement rate as well as death and disability benefits.

² The 60-day waiting period for health insurance eligibility may be eliminated, effective FY 2010. Agencies should budget the full amount for insurance for new hires beginning in that year.

	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>
Department of Commerce.....	0.866 %	0.402 %	
Kansas Corporation Commission	1.017	1.161	
Board of Cosmetology	1.003	0.339	0.350
Department of Credit Unions.....	0.998	0.339	0.350
Kansas Dental Board.....	1.525	0.339	0.350
Governmental Ethics Commission	1.003	0.339	0.350
Office of the Governor.....	0.936	0.339	
Board of Healing Arts	1.290	0.339	0.350
Hearing Instruments Board of Examiners.....	1.048	1.931	1.874
Kansas Human Rights Commission.....	0.958	0.339	
Board of Indigents Defense Services.....	0.875	0.463	
Insurance Department	0.869	0.390	
Health Care Stabilization	0.974	0.339	
Judicial Council	1.000	0.339	
Judiciary.....	0.866	0.688	
KPERS	0.921	0.193	
Kansas Technology Enterprise Corp.	0.980	0.339	
Kansas, Inc.....	1.009	0.339	
Legislative Coordinating Council	0.971	0.339	
Legislative Division of Post Audit.....	0.948	0.339	
Legislative Research Department	0.928	0.339	
Legislature.....	0.866	0.134	
Office of the Lieutenant Governor.....	0.999	0.339	
Kansas Lottery	0.925	0.488	
Board of Mortuary Arts	1.026	0.339	0.350
Board of Nursing.....	0.958	0.339	0.350
Board of Examiners in Optometry.....	1.040	0.693	0.673
Board of Pharmacy	1.004	0.339	0.350
Kansas Racing and Gaming Commission.....	1.289	1.411	
Real Estate Appraisal Board	1.029	0.339	0.350
Kansas Real Estate Commission.....	0.995	0.339	0.350
Department of Revenue	0.866	0.717	
Revisor of Statutes	0.937	0.339	
Secretary of State	0.910	0.339	
Office of the Securities Commissioner	0.948	0.339	0.350
Court of Tax Appeals.....	0.976	0.339	
Board of Technical Professions	1.018	0.339	0.350
State Treasurer	0.937	0.339	
Pooled Money Investment Board.....	0.330	0.339	
Board of Veterinary Examiners	1.026	0.339	0.350
Social and Rehabilitation Services.....	0.866	0.976	
Kansas Neurological Institute	2.244	5.233	
Larned State Hospital.....	2.610	4.298	
Osawatomie State Hospital.....	3.043	9.506	
Parsons State Hospital and Training Center	1.943	2.863	

	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>
Rainbow Mental Health Facility.....	2.244 %	7.906 %	
Kansas Health Policy Authority.....	1.081	0.589	
Department on Aging.....	0.889	0.582	
Health and Environment.....	0.866	0.329	
Department of Labor.....	1.011	1.120	
Commission on Veterans Affairs.....	2.657	8.094	
Department of Education.....	0.866	0.327	
School for the Blind.....	1.645	2.291	
School for the Deaf.....	2.244	4.501	
Board of Regents.....	0.877	0.339	
Emporia State University.....	0.866	0.764	
Fort Hays State University.....	0.866	0.892	
Kansas State University.....	0.866	0.987	
KSU—Veterinary Medical Center.....	0.866	0.987	
Kansas State University—ESARP.....	0.866	0.987	
Pittsburg State University.....	0.866	0.888	
University of Kansas.....	0.701	0.703	
KU Medical Center.....	0.701	0.661	
Wichita State University.....	0.701	0.457	
Kansas Arts Commission.....	1.006	0.339	
Historical Society.....	0.981	0.960	
State Library.....	1.270	0.339	
Department of Corrections.....	0.866	1.913	
El Dorado Correctional Facility.....	2.244	5.805	
Ellsworth Correctional Facility.....	1.904	3.508	
Hutchinson Correctional Facility.....	2.244	4.661	
Lansing Correctional Facility.....	2.657	6.073	
Larned Correctional MH Facility.....	2.657	8.214	
Norton Correctional Facility.....	1.943	3.781	
Topeka Correctional Facility.....	2.244	6.162	
Winfield Correctional Facility.....	1.448	2.450	
Juvenile Justice Authority.....	0.930	0.339	
Atchison Juvenile Correctional Facility.....	2.657	6.471	
Beloit Juvenile Correctional Facility.....	1.764	4.228	
Larned Juvenile Correctional Facility.....	1.906	4.712	
Kansas Juvenile Correctional Complex.....	1.971	7.829	
Adjutant General.....	1.548	2.379	
Emergency Medical Services Board.....	0.991	0.339	
State Fire Marshal.....	1.990	3.882	
Highway Patrol.....	1.647	2.431	
Kansas Bureau of Investigation.....	0.886	0.748	
Kansas Parole Board.....	1.009	0.339	
Sentencing Commission.....	1.581	0.339	
Kansas Comm. on Peace Officers' Standards & Training.....	0.779	0.460	
Department of Agriculture.....	0.866	0.633	
Animal Health Department.....	1.322	0.339	

	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>
State Conservation Commission	0.973 %	0.339 %	
Kansas State Fair.....	2.488	7.903	
Kansas Water Office	0.960	0.339	
Department of Wildlife and Parks	1.720	2.350	
Kansas Department of Transportation	3.043	4.006	

General Cost Guidelines ³

Motor Vehicle Supplies	0.8 %	1.1 %	1.4 %
Clothing.....	0.6	0.6	0.7
Food	1.9	2.0	2.0
Fuel Oil and Coal.....	4.8	2.1	(0.6)
Gasoline and Oil	1.9	--	--
Electricity	4.8	2.1	(0.6)
Natural Gas	4.8	2.1	(0.6)
Medical Care.....	5.5	4.8	4.0
General.....	2.1	1.6	1.5

Use 8.5 percent for financing items acquired under the master lease equipment program.

Rent & Other Cost Estimates

Base Rates per Square Foot:⁴

Office Space:

Docking, Landon, Memorial, Curtis, Awl, Finney, Eisenhower, 1020 Kansas	\$16.45	\$16.78	\$17.09
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Computer Space:

Docking, Landon, Curtis, Eisenhower	46.47	47.06	50.05
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Storage Space:

Docking, Landon, Memorial, Curtis, Finney, Eisenhower	5.16	5.20	5.50
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Other Building Costs:

Moving Costs (per square foot) ⁵	2.00	2.00	2.00
Lease Administration Costs (per square foot).....	0.03	0.03	0.03
Security Keycard (each)	11.50	11.75	12.00
Security Card Reader Installation	Actual	Actual	Actual
Security Card Reader (maintenance and support per month)	33.00	33.00	34.00

³ Source: Moody's Economy.com, May 2008.

⁴ The total rates represent the space rental rates for state buildings. The federal rates, for agencies with federal fund revenues, represent that portion of the total rates that federal funds are estimated to finance. The difference must be financed from non-federal sources when the total rate exceeds the federal rate.

⁵ Actual moving rates could vary, depending on the type of moving services required. The cost estimate is for packing, transporting, and unpacking only. Space design, telephone connect and disconnect, office partitions, etc. are not included.

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	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>
State Records Center (per cubic foot)	\$4.50	\$4.75	\$4.75

Federal Rates per Square Foot:

Office Space:			
Docking.....	11.56	12.15	12.45
Landon	14.74	14.80	15.05
Memorial & Eisenhower.....	16.45 ⁶	16.78 ⁶	17.09 ⁶
Curtis.....	16.31	16.40	16.75
Awl.....	13.83	13.55	13.75
 Computer Space:			
Docking.....	37.06	37.06	37.06
Landon	40.41	40.45	40.45
Eisenhower.....	31.32	31.35	31.35
Curtis.....	33.93	38.30	38.30

Monumental Building Surcharge per Square Foot⁷

For support of State Capitol, Judicial Center, Cedar Crest, and Capitol Complex Parking Lots.....	2.32	2.56	2.78
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Private Reimbursement per Mile:

Automobile	0.505	0.550	0.580
Motorcycle	0.305	0.320	0.340
Airplane.....	1.070	1.100	1.130

Subsistence:	<u>FY 2009</u>		<u>FY 2010</u>		<u>FY 2011</u>	
	Meals	Lodging ⁸	Meals	Lodging ⁸	Meals	Lodging ⁸
In-State—Regular	\$36	\$75	\$38	\$77	\$39	\$79
Out-of-State—Regular	36	95	38	98	39	101
Out-of-State—High Cost	41	139	41	143	42	147
Out-of-State—Special High Cost	50	154	53	158	54	162
International Travel.....	53 ⁹	Actual	56	Actual	57	Actual
Conference Lodging (KAR 1-16-18a(e)) ¹⁰	Actual		Actual		Actual	

⁶ These federal allowable rates calculate to more than the total rates. The federal rates for them are shown as being equal to the total rates to indicate that federal funds can cover up to 100.0 percent of these costs.

⁷ Applies to all agencies located within Shawnee County; cannot be funded with federal funds; rate per square foot of rentable space in state buildings or leased space. Used to support the maintenance and operation of the State Capitol, Judicial Center, Cedar Crest, and Capitol Complex parking lots.

⁸ Actual cost of lodging up to this maximum.

⁹ Or actual to a maximum of \$87 in FY 2009.

¹⁰ Meals allowance is based on destination city.

DISC Rate Estimates	Unit	FY 2009	FY 2010	FY 2011
Information Processing Services:				
MVS CPU	Hour	\$415	\$415	\$415
CICS On-line processing	Second	0.21	0.21	0.21
Data Storage	Mb Month	0.0075	0.0075	0.0075
Data Entry Service	Hour	24.00	24.00	24.00
STARS Payment Documents	Detail Line	0.25	0.25	0.25
Enterprise Applications—State ¹¹	Per Employee	3.75	3.75	3.75
Enterprise Applications—Regents ¹¹	Per Employee	2.00	2.00	2.00
Telecommunication Services:				
Data Connect.....	Node/Month	40.00	42.50	42.50
KANWIN Router Only:				
1-6 nodes.....	Router/Month	225.00	240.00	240.00
7-23 nodes.....	Router/Month	505.00	540.00	540.00
>23 nodes.....	Router/Month	730.00	775.00	775.00
Dial Access (Remote 800 Service).....	Minute	0.12	0.12	0.12
Dial Access (Local Topeka Only).....	Minute	0.04	0.04	0.04
Dial Access (Internet Topeka Only).....	Monthly	12.00	12.00	12.00
Voice Switching Service.....	Month	17.50	17.50	17.50
Voice Mail Topeka and Wichita.....	Station Month	1.00	1.00	1.00
Customer Support Services:¹²				
Local Area Network Support.....	Hour	60.00	60.00	60.00
Programming Services.....	Hour	60.00	60.00	60.00
DISC Technical Services.....	Hour	60.00	60.00	60.00
DISC Technical Services Off Hours.....	Hour	90.00	90.00	90.00
Video Management Services.....	Hour	60.00	60.00	60.00
KANS-A-N Long Distance:				
Interstate				
Switched to Switched.....	Per Minute	0.0551	0.0551	0.0551
Switched to Dedicated.....	Per Minute	0.0325	0.0325	0.0325
Dedicated to Switched.....	Per Minute	0.0325	0.0325	0.0325
Dedicated to Dedicated.....	Per Minute	0.0276	0.0276	0.0276
56/64K Dedicated to Dedicated.....	Per Minute	0.0710	0.0710	0.0710
384K Dedicated to Dedicated.....	Per Minute	0.1821	0.1821	0.1821
384K Dedicated to Switched.....	Per Minute	0.3944	0.3944	0.3944
56/64K Switched to Dedicated.....	Per Minute	0.0699	0.0699	0.0699
56/64K Switched to Switched.....	Per Minute	0.1398	0.1398	0.1398

¹¹ Applies to all state agencies based on rate per employee per payroll period. This rate supports STARS, SHARP, and BMS applications.

¹² The statewide telecommunications installation and repair services contract administered by the Division of Purchases designates six areas of service within the state. This takes advantage of localized fees and services versus a single, higher fee for statewide coverage. Please refer to the website <http://da.ks.gov/purch/contracts/contractdata/07763.doc> for specific contract details. Information regarding area, job type, and contractor is available at the following website: <http://da.ks.gov/purch/adds/PricingSheet.xls>.

	<u>Unit</u>	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>
Intrastate				
Switched to Switched.....	Per Minute	\$0.0749	\$0.0749	\$0.0749
Switched to Dedicated	Per Minute	0.0468	0.0468	0.0468
Dedicated to Switched	Per Minute	0.0468	0.0468	0.0468
Dedicated to Dedicated.....	Per Minute	0.0221	0.0221	0.0221
56/64K Dedicated to Dedicated.....	Per Minute	0.0595	0.0595	0.0595
384K Dedicated to Dedicated.....	Per Minute	0.1951	0.1951	0.1951
384K Dedicated to Switched	Per Minute	0.4376	0.4376	0.4376
56/64K Switched to Dedicated	Per Minute	0.0771	0.0771	0.0771
56/64K Switched to Switched.....	Per Minute	0.1398	0.1398	0.1398
International Calls.....				
	Per Minute	At Cost	At Cost	At Cost
Operator-Assisted Calls	Per Call	3.25	3.25	3.25
Directory Assistance (Local)	Per Call	1.25	1.25	1.25
Directory Assistance				
Intrastate.....	Per Call	2.00	2.00	2.00
Interstate.....	Per Call	2.00	2.00	2.00
International	Per Call	2.00	2.00	2.00
Interactive Voice Response.....	Per Call	0.04	0.04	0.04
Administrative Surcharge	All Rates Above	2.5 %	2.5 %	2.5 %
(Applies to all rate categories listed above; cannot be funded with federal funds)				
Other Rates (Not subject to administrative surcharge):				
Agency Security Service.....	Per Month	At Cost	At Cost	At Cost
Vendor Data Circuits	Drop/Month	At Cost	At Cost	At Cost
Video Access Circuits.....	Circuit/Month	At Cost	At Cost	At Cost
Frame Relay Circuits	Circuit/Month	At Cost	At Cost	At Cost
Special Toll Services.....		At Cost	At Cost	At Cost

Central Mail Estimation Factors:

The Central Mail Assessment covers the cost of operations for building mail, metering, presorting mail, and mail automation. In July of each year, DISC distributes a one-time assessment to recover these costs. The billing is determined based on each agency's share of the previous year's total billings for postage. Actual postage is billed at cost on a monthly basis.

The U.S. Postal Service has not announced rate increases for FY 2009. For FY 2009, customers should multiply their FY 2008 annual charges by 1.10 percent. DISC projects customer assessments for FY 2009 to increase 1.075 percent over FY 2008. See example below:

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	<u>FY 2008</u>	<u>Times Factor</u>	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>
1st Class Postage.....	\$1,000	1.10	\$1,100		
1st Class Postage.....	\$1,100	1.10		\$1,210	
1st Class Postage.....	\$1,210	1.10			\$1,331
Assessment.....	\$1,000	1.075	\$1,075		
Assessment.....	\$1,075	1.075		\$1,156	
Assessment.....	\$1,156	1.075			\$1,243

For customers submitting mail for barcode/sorting services only, the following rate applies:

<u>Rate Category</u>	<u>Unit</u>	<u>FY 2009 Rate</u>	<u>FY 2010 Rate</u>	<u>FY 2011 Rate</u>
MLOCR Bar-coding	Mail Piece	\$0.025	\$0.025	\$0.025

Contact: Agencies needing assistance for budgeting DISC services should contact Morey Sullivan at (785) 296-3343.

Financial Management Development Fee:

In 2007 SB 357 the Legislature directed the Department of Administration to institute an FMS development fee to provide funding for the development of a new Financial Management System to replace STARS. The rate became effective in FY 2008 and is based on an agency's STARS transactions. This fee cannot be funded with federal funds.

	<u>Unit</u>	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>
FMS Development—State	Per Transaction	\$0.38	\$0.67	\$0.67
FMS Development—Regents	Per Transaction	\$0.10	\$0.18	\$0.18

Division of Printing¹³

		2.0 %	3.0 %	4.0 %
Printing Services				
Black and white copying, single sided.....	per sheet	\$0.036	\$0.036	\$0.036
Black and white copying, duplex.....	per sheet	0.064	0.064	0.064
Color copying, single sided, 8 1/2 x 11	per sheet	0.28	0.28	0.28
Color copying, single sided, 11 x 17.....	per sheet	0.57	0.57	0.57
Graphic design services	per hour	47.00	48.00	49.00

Facilities Planning Project Fee¹⁴

Architect.....	per hour	95.00	100.00	105.00
Engineer	per hour	105.00	115.00	120.00

Price and Cost Guidelines for Selected Equipment Items:

	<u>FY 2009</u>	<u>FY 2010</u>	<u>FY 2011</u>
	<u>Est. Price</u>	<u>Est. Price</u>	<u>Est. Price</u>
Statewide Contract Management Fee (Applied to orders against statewide requirements contracts)	0.5 %	0.5 %	0.5 %

¹³ These prices are subject to change because of renegotiation of equipment rental or fluctuation in material costs.

¹⁴ A complete list of facilities management project fees can be found at http://da.ks.gov/fp/manual/11_FPDC_Services.pdf.

	<u>FY 2009</u> <u>Est. Price</u>	<u>FY 2010</u> <u>Est. Price</u>	<u>FY 2011</u> <u>Est. Price</u>
New Motor Vehicles—Passenger (Fleet Prices)			
Sedan, 4-door compact.....	\$11,800	\$12,100	\$12,400
Sedan, 4-door intermediate	14,400	14,800	15,200
Sedan, 4-door full size (non-police).....	22,000	22,600	23,200
New Motor Vehicles—Trucks (Fleet Prices)			
Mini-Van, 5-passenger.....	19,500	20,000	20,600
Mini-Van, 7-passenger.....	20,300	20,900	21,500
Van, 5-passenger.....	17,000	17,500	18,000
Van, 8-passenger.....	17,700	18,200	18,700
Van, 12-passenger.....	18,500	19,000	19,500
Van, 15-passenger.....	21,300	21,900	22,500
Suburban, 1/2 ton (2 w/d).....	28,500	29,300	30,000
Suburban, 3/4 ton (2 w/d).....	30,000	30,900	31,800
Pickup, compact, extended cab.....	12,400	12,700	13,000
Pickup, 1/2 ton.....	13,400	13,800	14,200
Pickup, 3/4 ton.....	17,000	17,500	18,000
Pickup, 1 ton.....	18,300	18,800	19,300
4 w/d pickup, 1/2 ton.....	17,000	17,500	18,000
4 w/d pickup, 3/4 ton.....	19,200	19,700	20,300
4 w/d ext cab compact pickup.....	16,000	16,500	17,000
Cabs and chassis, 1 ton.....	19,000	19,500	20,000
One ton, with flat bed and hoist.....	25,000	25,700	26,400
Cab and chassis, 1-1/2 ton (GVW up to 17,000 pounds).....	25,000	25,900	26,400
Vertical Files - Economy			
2-drawer, metal, letter.....	154	161	169
2-drawer, metal, legal.....	174	183	192
4-drawer, metal, letter.....	214	224	236
5-drawer, metal, letter.....	283	298	312
5-drawer, metal, legal.....	316	331	348
Traditional Style Steel Desks			
Flat top, 72" x 36," executive, double pedestal.....	1,042	1,094	1,149
Flat top, 60" x 30," executive, double pedestal.....	925	972	1,021
60" x 30," executive, single pedestal.....	885	929	975
Double pedestal typing return.....	733	769	808
Contemporary Style Steel Desks			
Double pedestal, 70" x 36".....	503	528	554
Double pedestal, 60" x 30".....	438	460	483
Single pedestal, 60" x 30".....	421	442	464
Single pedestal, typing return, 45" long w/drawers.....	241	253	265
Steel Storage Units, 78" x 36" x 18," shelves w/doors.....	247	259	272

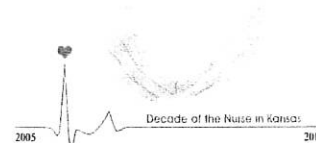
	FY 2009 Est. Price	FY 2010 Est. Price	FY 2011 Est. Price
Shell Chairs (fabric inner shell)			
Swivel tilt arm chair.....	\$119	\$125	\$131
Steno posture.....	77	81	85
Stack chair.....	89	94	99
Economy stack chair.....	41	43	45
Ergonomic Style Office Chairs			
Executive high back swivel tilt w/arms and casters.....	324	340	357
Same as above with low back.....	299	314	330
Manager swivel tilt w/arms and casters.....	259	272	285
Secretarial swivel.....	239	251	263
Facsimile Equipment			
Plain paper fax, 500 pages/month volume.....	142	158	166
Plain paper fax, 1,000 pages/month volume, 1 MB memory, 36.6 Kbps.....	492	524	550
Plain paper fax, dual access 2,000 pages/month volume, 2 MB memory, 36.6 Kbps.....	814	838	881
Rental Photocopiers (price quoted is monthly)			
Digital Copier with stand, speed of 20 copies per minute, 30,000 copies per month volume.....	85	100	100
Digital Copier with stand and sorter, speed of 33 copies per minute, 40,000 copies per month volume.....	118	139	139
Digital Copier with sorter, automatic document feeder and automatic duplexing, speed of 50 copies per minute, 100,000 copies per month volume.....	273	322	322
Digital Copier, console style, sorter, automatic document feeder and automatic duplexing, speed of 60 copies per minute, 120,000 copies per month volume.....	375	442	442
Digital Copier, console style, sorter, automatic document feeder and automatic duplexing, speed of 85 copies per minute, 400,000 copies per month volume.....	1,020	1,204	1,204
Laptop / Notebook Microcomputers			
Desktop Replacement.....	1,359	1,139	1,139
Standard Laptop.....	1,125	991	991
Ultra-Light Weight.....	1,340	1,299	1,299
Desktop Microcomputers			
Intel Configuration			
Intel Duo Core2 2.66 GHz, 2GB RAM, 160GB Hard Drive, DVD-RW.....	749	685	685
Monitors			
17" Flat Panel.....	175	174	174
19" Flat Panel.....	206	214	214
20" Flat Panel.....	275	264	264

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(785) 233-8638 • Fax (785) 233-5222
www.nursingworld.org/snas/ks
ksna@ksna.net

Caring Hearts, Healing Hands



President Susan Bumsted,

Testimony Before the
Ways and Means Committee
SB 308

Chairman Emler and Committee Members:

My name is Sarah Tidwell and I represent the Kansas State Nurses Association (KSNA). KSNA is the professional organization for the more than 30,000 Registered Nurses in the State. I speak in opposition to SB 308, increasing the amount of money to be transferred to the State General Fund from the fee fund agencies.

The fee fund money is a charge for administrative services and I understand that the current cap has been in effect for many years. KSNA has monitored the functions of the KSBN over the years and have not seen a recent appreciable increase in the services that the KSBN utilizes from the State. What we have seen is fee fund money being transferred to the state general fund to provide additional money for non-revenue producing agencies. SB 304 currently includes the transfer of \$72,693 from the Board of Nursing fee fund to the State General Fund.

Increasing the capped dollar amount of the fee fund, but not the overall percentage amount, only affects those agencies with a large number of licensees. Many of the fee fund agencies do not meet the \$200,000 cap now; therefore will not be as adversely affected by this bill as others.

Currently, nursing licensure fees comprise 75% of the Board of Nursing's revenue. This session's budget decisions are affecting nurses in several ways:

- KSIP money frozen. Approximately 65-70% of nurses renew their licenses through the online system that was installed in 1999. Other systems allow agencies that employ nurses to check for current, unencumbered licenses, protecting the safety of the public. These systems have not had support or maintenance for at least three years. The Board was managing the KSIP account to purchase a new back up system, firewalls, and other upgrades for the systems.
- Supplement request not funded. The Board of Nursing's budget request included funding for the systems mentioned above and a supplement for FY10 and FY11 for maintenance of the new software. If these systems fail, nurses will lose the ability to renew their license in a timely and secure manner, and employers will lose the ability to check the status of licenses.

Senate Ways & Means Cmte

Date 3-17-2009

Attachment 8

- Open professional positions. To meet current budgetary restrictions, the Board of Nursing has not filled two professional positions. Both affect the ability of the Board to answer questions from licensees and investigate complaints in a timely manner.

KSNA has previously opposed increases in the licensure fee cap based on the amount of money in the fee fund and the sweeping of the funds. With the projected increase from this bill, a request for fee increases will almost surely be proposed. Nurse's income has personally been affected by the state's economy, just as the state revenues have. Community hospitals and healthcare agencies are experiencing financial constraints. Registered nurses may not be losing their jobs, but their hours are being cut back and their paychecks adjusted downward. An increase in licensure fee will amplify the problem.

My testimony represents Registered Nurses, but there are approximately 8300 Licensed Practical Nurses and 184 Licensed Mental Health Technicians that would be affected the same. Asking licensees to accept an increase in money transferred into the state general fund while experiencing a decrease in services, or an increase in licensure fees, feels like the budget burden is being placed on nurses and those who pay licensure fees.

KSNA requests you vote no on advancing this bill further.

Thank you.

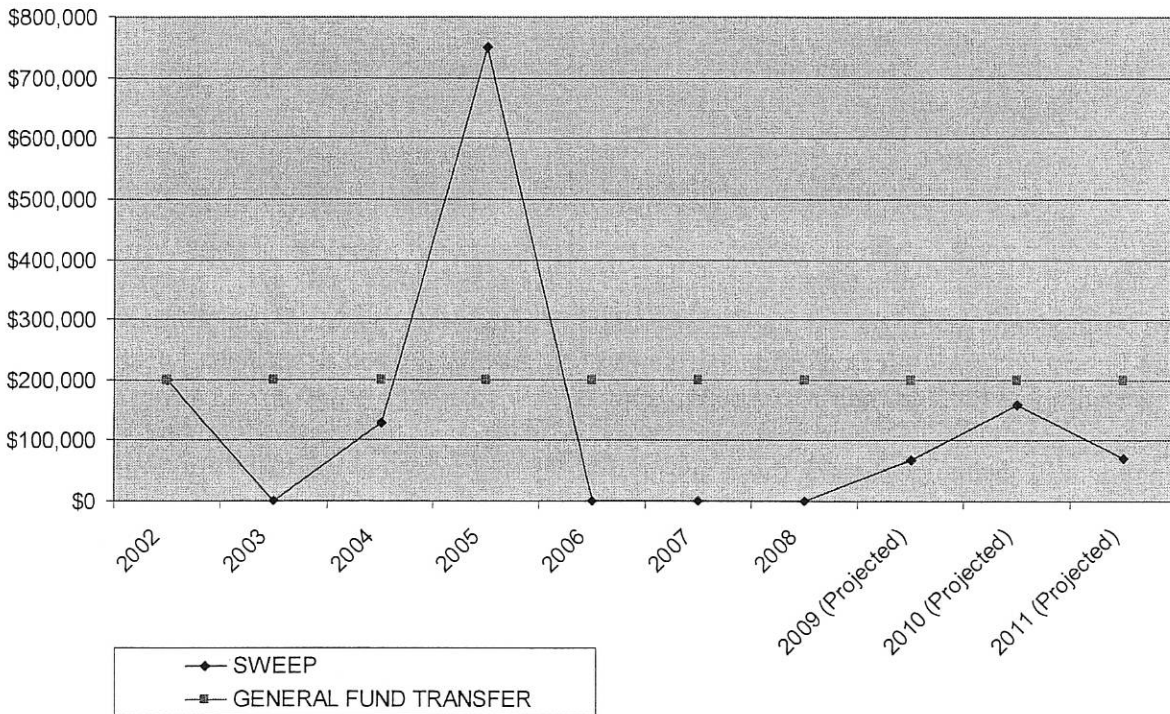
MEMORANDUM

TO: Senate Ways and Means Committee
FROM: Kansas State Board of Healing Arts – Executive Director Jack Confer
DATE: March 17, 2009
RE: Senate Bill 308

The Kansas State Board of Healing Arts is testifying in opposition to Senate Bill 308; a bill which will increase the administrative fee cap charged to agencies from \$200,000 to \$350,000.

Over the past 10 years, the Kansas State Board of Healing Arts has had \$3,396,763 taken through sweeps and State General Fund Transfers. Every year, for the past 10 years, the Kansas State Board of Healing Arts has had the maximum \$200,000 transferred from it. This equates to \$2 million in transfers and \$1.376 million in sweeps within a span of 10 years, all of which has seriously impacted our agency’s daily operations.

KSBHA General Fund Transfers and Sweeps



The 2008 Legislature changed the way the Kansas State Board of Healing Arts operated with the passage of House Bill 2620. The bill carried with it several mandates that financially impact the agency, such as fingerprinting, background checks and greater transparency. Additionally, concerns were expressed by the Legislature and the general public regarding timeframes of investigations and the backlog of cases. It is paramount to this agency that we address all of the mandates and concerns in an

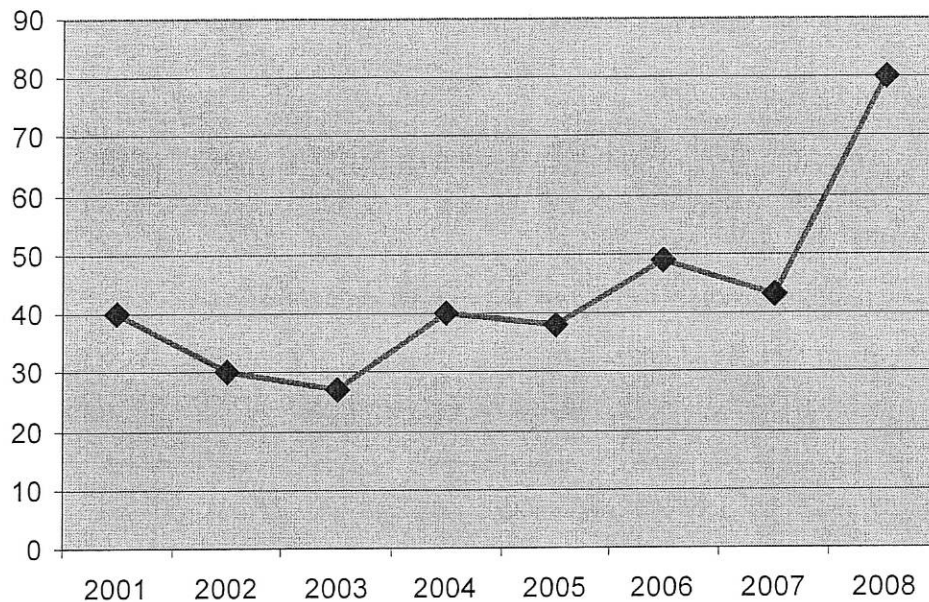
Senate Ways & Means Cmte
Date 3-17-2009
Attachment 9

efficient and effective manner. To continue this, it is critical that we continue at the funding level we have planned for, with no increases to the state general fund transfer amount.

In 2008, the agency was approved for six temporary FTE positions to carryout the mandates of HB 2620. These positions were recently granted permanent status in 2009. Other items we are moving forward with include revamping our web site to have easier accessibility and better information for our consumers seeking to view medical professionals' licensing and disciplinary information.

Since receiving the additional funding for the FTE positions, we are seeing positive results.

Board Actions



While we fundamentally understand the fiscal problems and dilemmas facing the Legislature, we do not agree that licensing fees collected from self-supporting agencies should be used for any other reason other to be redirected back to their respective agencies.

Our agency is still trying to pay for these six new FTEs that we received last July. Earlier attempts to increase our fee ceilings have been unsuccessful. However, Senator Vicki Schmidt introduced Senate Bill 318 into this committee which would increase the ceilings, thus allowing us to pay for these positions.

In conclusion, Senate Bill 308 will be harmful to both the agency and to the safety, health and welfare of the general public. Therefore, the Kansas State Board of Healing Arts does not support Senate Bill 308.



Date: March 17, 2009

To: Members of the Senate Ways & Means Committee
Chairman – Senator Jay Emler

From: Doug Wareham, Senior Vice President-Government Relations

Re: Opposition to S.B. 308

Chairman Emler and members of the Senate Ways & Means Committee, I am Doug Wareham appearing on behalf of the Kansas Bankers Association (KBA). KBA's membership includes 327 Kansas banks, which operate more than 1,300 banking facilities in 440 towns and cities across the state.

While we are opposed to S.B. 308, I'd like to begin with a positive remark and will simply state that we appreciate the transparent nature of this bill. S.B. 308 is a straightforward proposal and while we oppose it for the reasons I'm about to share, we do appreciate the fact that the impact of this bill is easy to identify. Speaking as someone who is not a regular attendee of budget committee hearings, it is often difficult to ascertain the impact (direct or indirect) of proposals designed to cut and/or sweep fee agency funds.

I do want to thank you for the opportunity to share our concerns regarding Senate Bill 308, which proposes to raise the administrative fee cap for state agencies from a maximum of \$200,000 annually to \$350,000 annually. It is our understanding that current state law requires all state agencies to remit 20% of their annual fee income to the state general fund, but also caps the total amount that must be remitted at \$200,000. It is also our understanding that the purpose of the administrative fee is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services, and any other state governmental services which are performed on behalf of a state agency by other state agencies.

Naturally, our primary concern is how this bill will impact the Office of the State Bank Commissioner (OSBC), which is one of a handful of state agencies that would hit the proposed \$350,000 administrative fee cap. The question that initially comes to mind when reviewing S.B. 308 is:

If the annual administrative fee assessment is designed to cover administrative costs associated with services rendered by other state agencies for the OSBC, has there been a substantial change in services provided that warrants the 75% fee cap increase proposed in S.B. 308?

Following the introduction of this bill, we researched the Department of Administration's website and were able to find a Statewide Cost Allocation Plan (SWCAP) listing that identifies

and allocates costs the state incurs for "central services" provided by specific agencies or cost centers to other state agencies. According to the Department of Administration's website, the Office of the State Bank Commissioner received \$8,597 in central services in FY-2008 and \$12,395 in services during FY-2007. I have attached copies of the Department of Administration's listing to my testimony. As you can see, DOA provides a listing of "central service" costs for all state agencies. For the record, we are not asking that the administrative fee cap be reduced, but we do **not** believe the current level and amount of services provided to the OSBC warrants an additional \$150,000 transfer from the OSBC to the state's general fund.

The second concern we would like to raise is that larger agencies, such as the OSBC, are often required because of their size and scope to maintain personnel and internal staff resources to meet their department's needs for which smaller agencies might depend upon other state agencies. For example, where some smaller state departments might depend upon other agencies for legal, human resources and information technology needs, larger agencies, such as the OSBC maintain their own personnel to administer those duties. The OSBC has three personnel in budget/accounting, four in information technology and six in their legal section. We believe these positions are needed to fulfill the mission of the OSBC and we are not questioning the need or relevance for these positions. We have confidence in the Bank Commissioner, who is advised by bankers and at-large appointees serving on the State Banking Board to determine what personnel and staff resources are needed on-site at the Banking Department. Therefore, it appears the \$150,000 administrative fee increase that would be realized by the OSBC under S.B. 308 has little or no relationship to the actual costs being incurred for services rendered to the OSBC from other state agencies, and for that reason we oppose increasing the current \$200,000 cap threshold.

Bankers do have a sincere appreciation for the financial challenges facing the State and they contribute in many ways to the state general fund. What we do not want you to lose sight of is the fact that the OSBC is a totally fee funded agency. What we object to is that totally fee funded agencies have become a continual target for balancing the funding needs for non-fee funded state programs. We also believe it is important to remind this body that transfers of fee funded agencies are not simply a burden placed on the agency, but are always in the end an added burden, fee or tax on the entities that generate the fees – fees that are paid by the banking industry to the Commissioner to help ensure the safety and soundness of the banking industry in Kansas. If S.B. 308 is adopted, Kansas banks will foot the bill for the \$350,000 administrative fee. Coupled with the proposed 4% sweep (\$343,854) that was included in the Governor's Budget Proposal, the toll on state-chartered banks in Kansas could jump to nearly \$700,000 in FY-2010.

I also believe it is important for this committee to be aware of other forces that will soon be negatively impacting the banking industry in Kansas. Attached to my testimony is a comment letter that is being submitted today by KBA to the Federal Deposit Insurance Corporation regarding the impact of recently proposed special assessments designed to re-build and maintain the FDIC insurance fund. The FDIC's proposed 10 to 20 basis point special assessment, which is expected to be finalized in early April, will have a \$40 to \$80 million impact on Kansas banks and in turn Kansas communities.

During the current economic crisis, the overwhelming majority of Kansas banks remain well-capitalized and strong and are continuing to meet the lending needs of the communities they serve. While the majority of Kansas banks remain strong, the impact of the FDIC assessments combined with any additional added cost will negatively impact the ability of banks to sustain economic growth in our state. While the \$150,000 annual administrative fee increase proposed in S.B. 308 might seem trivial to some, it is another straw on the backs of Kansas bankers already faced with significant financial burdens caused by forces and parties far removed from the Sunflower State.

We do appreciate the opportunity to share our concerns regarding Senate Bill 308 and we respectfully ask each of you to oppose this measure. I would be happy to stand for questions.



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General Accounting

[AR home](#)

[General Accounting](#)

[Municipal Accounting](#)

[Payroll](#)

[SHaRP](#)

Statewide Cost Allocation Plan (SWCAP)

The Statewide Cost Allocation Plan (SWCAP) identifies and allocates costs the state incurs for "central services" provided by specific agencies or cost centers to other state agencies.

The SWCAP process falls under the federal guidelines contained in the Office of Management and Budget (OMB) Circular A-87 - Cost Principles for State, Local, and Tribal Governments. OMB A-87 establishes principles and standards for determining costs for Federal awards carried out through grants, cost reimbursement contracts and other agreements with the State. This document can be found on the internet at:
<http://www.whitehouse.gov/omb/circulars/a087/a087-all.html>

The guidelines found in OMB A-87 define the allowable and unallowable central service costs. For Kansas, the allowed central service costs are from programs and/or activity within the Department of Administration and the State Treasurer. The Kansas central service costs are categorized into two components or sections (Section I and Section II). Section I is the allocation of non-billed allowable indirect costs. Section II is the documentation of direct billed services' costs. OMB A-87 guidelines also require the preparation of formal GAAP-based financial statements for Section II (direct billed) cost centers. These are prepared annually and are audited and approved through the formal audit process conducted by Department of Health and Human Services (HHS).

[Instruction and Links to obtain Cost Allocation by Fiscal Year](#)

[Purpose of SWCAP](#)

[Explanation of Section I Costs](#)

[Explanation of Section II Costs](#)

For questions concerning the Statewide Cost Allocation Plan, contact Janette Martin.
 phone: (785) 296-2925
 e-mail: janette.martin@da.ks.gov

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 900 SW Jackson, Room 351S, Topeka, KS 66612, 785/296-2311, arweb@da.ks.gov

Page last modified on: July 13, 2007

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General Accounting

Instructions to obtain Cost Allocation for Agency

Select the fiscal year below and then your agency from the listing for the Cost Allocation you wish to review. The "Total Fixed Costs" line shown at the bottom of the linked schedule contains the allocated share of central service costs for the selected agency. If your agency is not listed, then no indirect costs were allocated to your agency after adjustments were made.

Cost Allocation for:

[FY 2008](#)

[FY 2007](#)

- AR home
- General Accounting
- Municipal Accounting
- Payroll
- SHaRP

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Page last modified on: May 02, 2008

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**STATE OF KANSAS
STATEWIDE COST PLAN
SCHEDULE H - SUMMARY OF FIXED COSTS BY
DEPARTMENT**

<u>016 Abstracters Board of Examiners</u>	<u>412 Larned Juvenile Correct.Facil.</u>
<u>028 Board of Accountancy</u>	<u>428 Legislature</u>
<u>034 Adjutant General</u>	<u>434 State Library</u>
<u>039 Department on Aging</u>	<u>446 Lieutenant Governor</u>
<u>046 Kansas Dept of Agriculture</u>	<u>450 The Kansas Lottery</u>
<u>055 Animal Health Department</u>	<u>482 Board of Nursing</u>
<u>058 Kansas Human Rights Commission</u>	<u>488 Optometry Board of Examiners</u>
<u>082 Attorney General</u>	<u>494 Osawatomie State Hospital</u>
<u>083 Atny Gen-Ks Bureau of Invstgtn</u>	<u>507 Parsons St Hosp & Trng Center</u>
<u>094 Banking Department</u>	<u>521 Department of Corrections</u>
<u>100 Board of Barbering</u>	<u>522 Corrections Dept-Corrtnl Indus</u>
<u>102 Behavioral Sciences Reg Board</u>	<u>523 Kansas Parole Board</u>
<u>105 State Board of Healing Arts</u>	<u>531 Board of Pharmacy</u>
<u>122 Citizens Utility Ratepayer Bd</u>	<u>540 Post Audit Legislative Div</u>
<u>143 Corporation Commission</u>	<u>543 Real Estate Appraisal Board</u>
<u>149 Board of Cosmetology</u>	<u>549 Real Estate Commission</u>
<u>159 Department of Credit Unions</u>	<u>553 Kansas Racing & Gaming Comm</u>
<u>167 Dental Board</u>	<u>555 Rainbow Mental Health Facility</u>
<u>171 Kansas Health Policy Authority</u>	<u>561 Board of Regents</u>
<u>175 Kansas Housing Resources Corp</u>	<u>562 Board of Tax Appeals</u>
<u>176 Ks Development Finance Dept.</u>	<u>565 Department of Revenue</u>
<u>177 Ellsworth Correctional Fclty</u>	<u>579 Revisor of Statutes</u>
<u>195 El Dorado Correctional Fclty</u>	<u>581 Norton Correctional Facility</u>
<u>204 Board of Mortuary Arts</u>	<u>604 School for the Blind</u>
<u>206 Emergency Medical Services</u>	<u>610 School for the Deaf</u>
<u>234 Fire Marshal</u>	<u>622 Secretary of State</u>
<u>246 Fort Hays State University</u>	<u>625 Securities Comm of Kansas</u>
<u>247 KS Gvmtl Ethics Commission</u>	<u>626 Kansas Sentencing Commission</u>
<u>252 Governor</u>	<u>629 Dept of Social & Rehab Svcs</u>
<u>261 Kansas Guardianship Program</u>	<u>634 Conservation Commission</u>
<u>264 Dept of Health & Environment</u>	<u>652 Department of Education</u>
<u>266 Bd of Examnrs for Hearing Aids</u>	<u>660 Topeka Correctional Facility</u>
<u>270 Hlth Care Stabilization Fund B</u>	<u>663 Technical Professions St Bd</u>
<u>276 Department of Transportation</u>	<u>670 State Treasurer</u>
<u>280 Highway Patrol</u>	<u>671 Pooled Money Investment Board</u>
<u>288 State Historical Society</u>	<u>677 Judicial Branch</u>
<u>296 Department of Labor</u>	<u>682 University of Kansas</u>
<u>300 Dept of Commerce</u>	<u>683 Univ of Ks Medical Center</u>
<u>313 Hutchinson Correctional Fclty</u>	<u>694 Veterans Commission</u>
<u>319 Topeka Juvenile Correct.Facil.</u>	<u>700 Board of Veterinary Examiners</u>
<u>325 Beloit Juvenile Correct.Facil.</u>	<u>709 Kansas Water Office</u>
<u>328 Indigents Defense Svcs St Bd</u>	<u>710 Ks Dept of Wildlife and Parks</u>
<u>330 Information Network of Ks Inc</u>	<u>712 Winfield Correctional Facility</u>
<u>331 Insurance Department</u>	<u>715 Wichita State University</u>
<u>349 Judicial Council</u>	
<u>350 Juvenile Justice Authority</u>	
<u>352 Kansas Juvenile Correct. Cmplx</u>	

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355 Atchison Juvenile Correct.Fac.
359 Kansas Arts Commission
360 Kansas Inc
363 Kansas Neurological Institute
365 Ks Pblc Employees Retirmnt Sys
367 Kansas State University
371 KS Technology Enterprise Corp
373 Kansas State Fair Board
379 Emporia State University
385 Pittsburg State University
400 Lansing Correctional Facility
408 Larned Corr Mental Hlth Fclty
410 Larned State Hospital

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FY - 2008

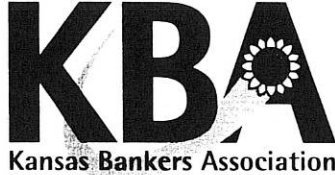
<u>CENTRAL SVC DEPARTMENT (094)</u>	
BLDG DEPR	0.00
EQUIP DEPR	0.00
SEC OF ADMIN	0.00
DOA-FACILITY MGMT	0.00
BDAS	(1,685.00)
A&R - ADMIN SVCS	(165.00)
A&R - PAYROLL	1,830.00
A&R - ACCTG SVCS	1,711.00
DOA - PERSONNEL	2,724.00
DOA - BUDGET	3,349.00
STATE TREASURER	833.00
HIGHER ED. INTEREST	0.00
<u>TOTAL FIXED</u>	<u>8,597.00</u>

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CENTRAL SVC DEPARTMENTS (094) FY-07

BLDG DEPR	
EQUIP DEPR	
SEC OF ADMIN	
FACILITY MGMT	
BDAS	\$1,388
BDAS ADJ.	
A&R - ADMIN SVCS	(\$249)
A&R - PAYROLL	\$4,505
A&R - ACCTG SVCS	\$476
DOA - PERSONNEL	(\$5)
DOA - BUDGET	\$6,280
HIGH ED INTEREST	
Total Fixed	\$12,395

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March 17, 2009

Mr. Robert E. Feldman, Executive Secretary
Attention: Comments
Federal Deposit Insurance Corporation
550 17th, N.W.
Washington, D.C. 20429

comments@fdic.gov

RE: RIN 3064-AD35
Assessments

Dear Mr. Feldman:

The Kansas Bankers Association appreciates the opportunity to comment on the FDIC's interim rule that would impose a special assessment of 10 or 20 basis points on the banking industry. The KBA is a non-profit trade association that is fortunate to have 327 of the 329 banks in Kansas as members.

While we have serious concerns about this proposal, we first want to emphasize that the banking industry in Kansas is fully committed to re-building and maintaining the FDIC fund. We also fully support the view of the FDIC that we need a strong, financially secure fund in order to maintain the confidence of depositors in the system. Most banks in Kansas were never involved in subprime lending and have served their communities in a responsible way for years and years and are now being unfairly penalized.

That being said, we feel that this is the wrong time to take this huge amount of money out of the Kansas economy. We are already dealing with a deepening recession, accounting rules that overstate economic losses and unfairly reduce capital, regulatory pressure to classify assets that continue to perform, and a significant increase in regular quarterly FDIC premiums.

The following demonstrates that the special assessment would have a big impact on the earnings and capital of the banks of Kansas. If the special assessment were 20 basis points, the total dollars taken out of the Kansas economy would be \$80 million. That figure represents about 14% of the total pre-tax earnings of Kansas banks for 2008. We believe those dollars are far better off staying in the local economy, helping our state and country to come out of the current economic recession. In addition, the reduction in earnings will make it more difficult to build capital when it is needed the most.

There are several things that can be done to alleviate this situation; we will discuss 2 of those items:

- 1) We would urge you to look for and if necessary advocate for ways to improve the projections for bank failures.
 - In our opinion, mark-to-market accounting is the principle reason that our financial system is in a meltdown. The destructiveness of mark-to-market -- which was in force before the Great Depression -- led FDR to suspend it in 1938. He understood that it was unnecessarily destroying banks. We do not believe the timing of the re-implementation of mark-to-market in the fall of 2007 and the current economic crisis are coincidence.
 - The concept of a "bad bank", or the ability to separate the bad assets from the good ones would seem to have merit and would allow problem assets to be dealt with separately and systematically, while other banking operations could continue under a transparent, focused framework.
- 2) We would urge you to seek ways to "smooth out" the assessment collection process. Again, we know the Fund needs to build up to statutory levels, but, as we stated earlier, collecting a large portion, all at once, is very harmful to the Kansas economy.

We thank you for your consideration of lowering the special assessment if Congress increases the line-of-credit utilized by the FDIC. This is one way to spread the collection of assessments over time. We understand the stated reluctance to utilize the line of credit because of the appearance of tax-payer money being used to "bail-out" the fund. However, we would argue that extraordinary times such as these are exactly for what the line of credit was designed. The line of credit is a type of loan that is utilized by businesses all over the country to help with unexpected cash flow deficiencies. Utilization of the line of credit would not nullify the use of bank funds to re-capitalize the Fund. Rather, it would be a loan that the banking industry would re-pay, and could be a tool that would help "smooth out" the funding process.

We would also urge you to look at other possible ways to "smooth out" the funding process:

- Use some sort of debt option: either a "FICO" like offering, similar to what was used to alleviate the FSLIC funding crisis or possibly a convertible debt option, whereby the FDIC could convert debt borrowed from the banking industry into capital to offset losses if it needs the funds. This would allow banks to write off the expense only when the funds are actually needed;
- Use the revenue that the FDIC is collecting from the Temporary Liquidity Guarantee Program. There is considerable revenue being collected from those banks that are issuing guaranteed debt which would help support the FDIC at this critical time.
- If smoothing out of the actual special assessment is not possible, we urge you to look for ways to allow banks to amortize the special assessment, for accounting purposes, on their books.

10-11

It is our understanding that many of the suggestions for smoothing out the funding process are hampered by current accounting rules. Why should onerous mark-to-market accounting rules and the road blocks put before us for recapitalizing the Fund hold the industry hostage? There must be a way to prudently suspend these accounting rules on a temporary basis so as not to be a major burden to the recovery of the banking industry.

Making these modifications will ensure that the fund remains secure and will allow Kansas banks to continue to lend in our communities. Thank you for allowing the KBA to express its concerns and to make suggestions. We know you will keep these things in mind when the Board meets in April to finalize the special assessment rule.

Charles A. Stones
President & CEO

Kathleen Olsen
SVP & General Counsel

10-12

Amendments to SB 196

- Increase the break in service requirement from 30 to 60 days after retirement for **all** KPERS retirees (including members of the state, school and local groups) before returning to work for any KPERS participating employer.
- Eliminate the current statutory \$20,000 earnings limitation for licensed public school employees (teachers and administrators) of the KPERS school group who return to work for the KPERS participating employer from which they retired.
- Require all public school employers who employ a licensed KPERS school group retiree to pay an employer contribution rate as follows:
 - If the retiree is age 62 or over: the employer actuarial rate plus the 4% statutory employee rate. (For FY 2009 this would be 15.95%)
 - If the retiree is under age 62: the employer actuarial rate plus the 4% statutory employee rate plus an additional 4%. (For FY 2009 this would be 19.95%)
- The employer contribution rate would apply for retirees returning to work for both the same school district or a different school district, except for those retirees who were first employed by a different school district prior to July 1, 2006, and who will be grandfathered with no employer contribution required.
- School employers cannot hire licensed KPERS school group retirees who takes early retirement until they reach age 62.
- The new provisions will apply to school district contracts entered into on or after July 1, 2009.
- The new provisions (except the 60 day waiting period) will sunset after three years, unless continued by the Legislature. There is a requirement for KPERS with the assistance of its actuary to report on the actuarial experience of these provisions to Joint Committee on Pensions, Investments and Benefits on or before June 30, 2012.

Senate Ways & Means Cmte
Date 3-17-2009
Attachment 11

SENATE BILL No. 196

By Joint Committee on Pensions, Investments and Benefits

2-4

Proposed Amendment to SB No. 196

Prepared by: Gordon Self
Office of Revisor of Statutes
March 17, 2009

10 AN ACT concerning retirement and pensions; relating to employment
11 after retirement; retirants employed by third-party entities; amending
12 K.S.A. 2008 Supp. 74-4914 and repealing the existing section.

school employment;

K.S.A. 74-4937 and

sections

13
14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 2008 Supp. 74-4914 is hereby amended to read as
16 follows: 74-4914. (1) The normal retirement date for a member of the
17 system shall be the first day of the month coinciding with or following
18 termination of employment with any participating employer not followed
19 by employment with any participating employer within 30 days and the
20 attainment of age 65 or, commencing July 1, 1993, age 62 with the com-
21 pletion of 10 years of credited service or the first day of the month co-
22 inciding with or following the date that the total of the number of years
23 of credited service and the number of years of attained age of the member
24 is equal to or more than 85. In no event shall a normal retirement date
25 for a member be before six months after the entry date of the participating
26 employer by whom such member is employed. A member may retire on
27 the normal retirement date or on the first day of any month thereafter
28 upon the filing with the office of the retirement system of an application
29 in such form and manner as the board shall prescribe. Nothing herein
30 shall prevent any person, member or retirant from being employed, ap-
31 pointed or elected as an employee, appointee, officer or member of the
32 legislature. Elected officers may retire from the system on any date on
33 or after the attainment of the normal retirement date, but no retirement
34 benefits payable under this act shall be paid until the member has ter-
35 minated such member's office.

60

36 (2) No retirant shall make contributions to the system or receive serv-
37 ice credit for any service after the date of retirement.

38 (3) Any member who is an employee of an affiliating employer pur-
39 suant to K.S.A. 74-4954b and amendments thereto and has not withdrawn
40 such member's accumulated contributions from the Kansas police and
41 firemen's retirement system may retire before such member's normal
42 retirement date on the first day of any month coinciding with or following
43 the attainment of age 55.

Senate Ways & Means Cmte
Date 3-17-2009
Attachment 12

12-2

1 (4) Any member may retire before such member's normal retirement
 2 date on the first day of any month coinciding with or following termination
 3 of employment with any participating employer not followed by employ-
 4 ment with any participating employer within ~~30~~ days and the attainment
 5 of age 55 with the completion of 10 years of credited service, but in no
 6 event before six months after the entry date, upon the filing with the
 7 office of the retirement system of an application for retirement in such
 8 form and manner as the board shall prescribe.

9 (5) On or after July 1, 2006, for any retireant who is first employed or
 10 appointed in or to any position or office by a participating employer other
 11 than a participating employer for which such retireant was employed or
 12 appointed during the final two years of such retireant's participation, *and,*
 13 *on or after July 1, 2009, for any retireant who is employed by a third-*
 14 *party entity who contracts services with a participating employer other*
 15 *than a participating employer for which such retireant was employed or*
 16 *appointed during the final two years of such retireant's participation to fill*
 17 *a position covered under subsection (a) of K.S.A. 72-5410, and amend-*
 18 *ments thereto, with such retireant, such participating employer shall pay*
 19 *to the system the actuarially determined employer contribution and the*
 20 *statutorily prescribed employee contribution based on the retireant's com-*
 21 *ensation during any such period of employment or appointment. If a*
 22 *retireant who retired on or after July 1, 1988, is employed or appointed in*
 23 *or to any position or office for which compensation for service is paid in*
 24 *an amount equal to \$15,000 or more, or commencing in calendar year*
 25 *2006, and all calendar years thereafter, \$20,000 or more in any one such*
 26 *calendar year, by any participating employer for which such retireant was*
 27 *employed or appointed during the final two years of such retireant's par-*
 28 *ticipation, and, on or after July 1, 2009, by any third-party entity who*
 29 *contracts services to fill a position covered under subsection (a) of K.S.A.*
 30 *72-5410, and amendments thereto, with such retireant with a participating*
 31 *employer for which such retireant was employed or appointed during the*
 32 *final two years of such retireant's participation, such retireant shall not*
 33 *receive any retirement benefit for any month for which such retireant*
 34 *serves in such position or office. The participating employer who employs*
 35 *such retireant whether by contract directly with the retireant or through*
 36 *an arrangement with a third-party entity shall report to the system within*
 37 *30 days of when the compensation paid to the retireant is equal to or*
 38 *exceeds any limitation provided by this section. **Any participating em-***
 39 ***ployer who contracts services with any such third-party entity to***
 40 ***fill a position covered under subsection (a) of K.S.A. 72-5410, and***
 41 ***amendments thereto, shall include in such contract a provision or***
 42 ***condition which requires the third-party entity to provide the par-***
 43 ***ticipating employer with the necessary compensation paid infor-***

12-3

1 **mation related to any such position filled by the third-party entity**
2 **with a retirant to enable the participating employer to comply with**
3 **provisions of this subsection relating to the payment of contribu-**
4 **tions and reporting requirements.** Any retirant employed by a partic-
5 ipating employer or a third-party entity as provided in this subsection
6 shall not make contributions nor receive additional credit under such
7 system for such service except as provided by this section. Upon request
8 of the executive director of the system, the secretary of revenue shall
9 provide such information as may be needed by the executive director to
10 carry out the provisions of this act. The provisions of this subsection shall
11 not apply to retirants employed as substitute teachers or officers, em-
12 ployees or appointees of the legislature. The provisions of this subsection
13 shall not apply to members of the legislature prior to January 8, 2000.
14 The provisions of this subsection shall not apply to any other elected
15 officials prior to the term of office of such elected official which com-
16 mences on or after July 1, 2000. The provisions of this subsection shall
17 apply to any other elected official on and after the term of office of such
18 other elected official which commences on or after July 1, 2000. Except
19 as otherwise provided, commencing January 8, 2001, the provisions of
20 this subsection shall apply to members of the legislature. For determi-
21 nation of the amount of compensation paid pursuant to this subsection,
22 for members of the legislature, compensation shall include any amount
23 paid as provided pursuant to subsections (a), (b), (c) and (d) of K.S.A. 46-
24 137a, and amendments thereto, or pursuant to K.S.A. 46-137b, and
25 amendments thereto. Notwithstanding any provision of law to the con-
26 trary, when a member of the legislature is paid an amount of compen-
27 sation of \$15,000 or more, or commencing in calendar year 2006, and all
28 calendar years thereafter, \$20,000 or more in any one calendar year, the
29 member may continue to receive any amount provided in subsections (b)
30 and (d) of K.S.A. 46-137a, and amendments thereto, and still be entitled
31 to receive such member's retirement benefit. Commencing July 1, 2005,
32 the provisions of this subsection shall not apply to retirants who either
33 retired under the provisions of subsection (1), or, if they retired under
34 the provisions of subsection (4), were retired more than ~~30~~ days prior to
35 the effective date of this act and are licensed professional nurses or li-
36 censed practical nurses employed by the state of Kansas in an institution
37 as defined in subsection (b) of K.S.A. 76-12a01 or subsection (f) of K.S.A.
38 38-2302, and amendments thereto, the Kansas soldiers' home or the Kan-
39 sas veterans' home. Nothing in this subsection shall be construed to create
40 any right, or to authorize the creation of any right, which is not subject
41 to amendment or nullification by act of the legislature. The participating
42 employer of such retirant shall pay to the system the actuarially deter-
43 mined employer contribution based on the retirant's compensation dur-

1 ing any such period of employment.

2 (6) For purposes of this section, any employee of a local governmental
3 unit which has its own pension plan who becomes an employee of a
4 participating employer as a result of a merger or consolidation of services
5 provided by local governmental units, which occurred on January 1, 1994,
6 may count service with such local governmental unit in determining
7 whether such employee has met the years of credited service require-
8 ments contained in this section.

9 ~~Sec. 2. K.S.A. 2008 Supp. 74-4914 is hereby repealed.~~

10 Sec. 3. This act shall take effect and be in force from and after its
11 publication in the ~~statute book.~~

Kansas register

Commencing July 1, 2009, the provisions of subsection (5) shall not apply to retirants who either retired under the provisions of subsection (1), or, if they retired under the provisions of subsection (4), were retired more than 60 days prior to the effective date of this act, and are subsequently hired in a position that requires a license under K.S.A. 72-1388 and K.A.R. 91-1-203, and amendments thereto. The provisions of this subsection do not apply to retirees who retired under subsection (4) prior to age 62. The participating employer of such retirant shall pay to the system the actuarially determined employer contribution based on the retirant's compensation during any such period of employment plus 4% if the retiree is age 62 or over at the time of employment, or plus 8% if the retiree is under age 62. On the January 1 following the retiree's attainment of age 62, the employer shall begin paying the employer's actuarial rate plus 4%. Licensed school employees who were retired and subsequently hired by a school district other than the school district the employee retired from prior to July 1, 2006, are not covered under this subsection. Nothing in this subsection shall be construed to create any right, or to authorize the creation of any right, which is not subject to amendment or nullification by act of the legislature. The provisions of this subsection shall remain in effect through July 1, 2012, after which, the Kansas public employees retirement system and its actuary shall report the experience to the joint committee on pensions, investments and benefits.

(7)

12-4
181

Insert Attachment #1 z196t4 (Sec. 2. K.S.A. 74-4937)

Sec. 3. K.S.A. 74-4937 and K.S.A. 2008 Supp. 74-4914 are hereby repealed.

Sec. 2. K.S.A. 74-4937 is hereby amended to read as follows: 74-4937. (1) The normal retirement date of a member of the system who is in school employment and who is subject to K.S.A. 74-4940 and amendments thereto shall be the first day of the month coinciding with or following termination of employment not followed by employment with any participating employer within 30 60 days and the end of the school fiscal year in which the member attains age 65 or, commencing July 1, 1986, age 65 or age 60 with the completion of 35 years of credited service or at any age with the completion of 40 years of credited service, or commencing July 1, 1993, any alternative normal retirement date already prescribed by law or age 62 with the completion of 10 years of credited service or the first day of the month coinciding with or following the date that the total of the number of years of credited service and the number of years of attained age of the member is equal to or more than 85. Each member upon giving prior notice to the appointing authority and the retirement system may retire on the normal retirement date or the first day of any month thereafter.

(2) Any member who is in school employment and who is subject to K.S.A. 74-4940 and amendments thereto may retire before such member's normal retirement date on the first day of the month coinciding with or following termination of employment not followed by employment with any participating employer within 30 60 days and the completion of the school fiscal year in which such member attained age 55 with the completion of 10 years of credited service, upon the filing with the office of the retirement system of an application for retirement in such form and manner as the board shall prescribe.

(3) No member who begins a year of school employment and who is subject to K.S.A. 74-4940 and amendments thereto may retire until the first day of the month coinciding with or following the end of the current school fiscal year unless good cause is shown and such retirement is agreed to by the participating employer and the board.

(4) As used in this section "school fiscal year" means the twelve-month period beginning July 1 and ending June 30.