

## Senate Substitute for HOUSE BILL No. 2004

By Committee on Government Efficiency

2-10

1 AN ACT concerning public assistance; requiring the secretary for children  
2 and families and the secretary of health and environment to execute a  
3 memorandum of understanding or other written data-sharing instrument  
4 upon written request of the United States department of agriculture or  
5 the United States department of health and human services; requiring  
6 such secretaries to comply with written data requests from such federal  
7 agencies made pursuant to such memorandum of understanding or  
8 written data-sharing instrument; amending K.S.A. 39-760 and repealing  
9 the existing section.

10  
11 *Be it enacted by the Legislature of the State of Kansas:*

12 Section 1. K.S.A. 39-760 is hereby amended to read as follows: 39-  
13 760. (a) The secretary of health and environment and the secretary for  
14 children and families are hereby directed to establish a system for the  
15 reporting of suspected abuse or fraud in connection with state welfare or  
16 medical assistance programs, either by recipients or ~~health care~~ *healthcare*  
17 providers. The system shall be designed to permit any person in the state at  
18 any time to place a toll-free call into the system and report suspected cases  
19 of welfare abuse or ~~suspected cases of health care~~ *healthcare* provider  
20 fraud.

21 (b) The secretary of health and environment and the secretary for  
22 children and families are further directed to publicize the system  
23 throughout the state.

24 (c) Notice of the existence of the system established pursuant to this  
25 section shall be displayed prominently in the office or facility of every  
26 ~~health care~~ *healthcare* provider who provides services under the state  
27 medical assistance program.

28 (d) The secretary of health and environment shall notify annually  
29 each recipient of state medical assistance of the toll-free number of the  
30 system established pursuant to this section and the purpose thereof. If  
31 possible, such notice shall be printed on the medical cards issued to  
32 recipients by the secretary.

33 (e) *Upon receipt of a written request from the United States*  
34 *department of agriculture, the secretary for children and families shall*  
35 *respond fully and timely to such request by executing a memorandum of*  
36 *understanding or any other written data-sharing instrument with the*

1 *United States department of agriculture as necessary to obtain, exchange*  
2 *or transmit any information required. Pursuant to such memorandum of*  
3 *understanding or other written data-sharing instrument, the secretary for*  
4 *children and families shall comply without conditions or limitations with*  
5 *any written data request from the United States department of agriculture*  
6 *and release such requested data to the United States department of*  
7 *agriculture within 30 days of receipt of such written data request.*

8 *(f) Upon receipt of a written request from the United States*  
9 *department of health and human services, the secretary of health and*  
10 *environment shall respond fully and timely to such request by executing a*  
11 *memorandum of understanding or any other written data-sharing*  
12 *instrument with the United States department of health and human*  
13 *services as necessary to obtain, exchange or transmit any information*  
14 *required. Pursuant to such memorandum of understanding or other*  
15 *written data-sharing instrument, the secretary of health and environment*  
16 *shall comply without conditions or limitations with any written data*  
17 *request from the United States department of health and human services*  
18 *and release such requested data to the United States department of health*  
19 *and human services within 30 days of receipt of such written data request.*

20 Sec. 2. K.S.A. 39-760 is hereby repealed.

21 Sec. 3. This act shall take effect and be in force from and after its  
22 publication in the Kansas register.