

AN ACT creating the joint committee on KanCare oversight; amending K.S.A. 2011 Supp. 39-7,161 and 39-7,162 and repealing the existing sections; also repealing K.S.A. 2011 Supp. 39-7,160 and 46-3501.

Be it enacted by the Legislature of the State of Kansas:

New Section 1. (a) There is hereby created the joint committee on KanCare oversight within the legislative branch of state government. The joint committee shall be composed of 11 members of the legislature appointed as follows: (1) Four members of the legislature appointed by the speaker of the house of representatives; (2) two members of the legislature appointed by the minority leader of the house of representatives; (3) three members of the legislature appointed by the president of the senate; and (4) two members of the legislature appointed by the minority leader of the senate.

(b) All members of the joint committee on KanCare oversight shall serve for terms of two years commencing on July 1, 2012. If a vacancy occurs in the office of any member of the joint committee on KanCare oversight, a successor shall be appointed in the same manner as the original appointment for the remainder of the term.

(c) (1) The speaker of the house of representatives shall appoint the first chairperson of the joint committee on KanCare oversight on July 1, 2012, and shall appoint the chairperson for a two-year term. The president of the senate shall appoint the next chairperson for a one-year term commencing on July 1, 2014. Thereafter, the appointment of the chairperson shall continue to alternate between the speaker of the house of representatives and the president of the senate with each subsequent chairperson being appointed for a one-year term ending on July 1 after the year of appointment.

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(2) The president of the senate shall appoint the first vice-chairperson of the joint committee on KanCare oversight on July 1, 2012, and shall appoint the vice-chairperson for a two-year term. The speaker of the house of representatives shall appoint the next vice-chairperson for a one-year term commencing July 1, 2014. Thereafter, the appointment of the vice-chairperson shall continue to alternate between the speaker of the house of representatives and the president of the senate with each subsequent vice-chairperson being appointed for a one-year term ending on July 1 after the year of appointment.

(d) A quorum of the joint committee on KanCare oversight shall be six. All actions of the joint committee on KanCare oversight shall be taken by a majority of all of the members of the joint committee.

(e) The joint committee on KanCare oversight may meet at any time and at any place within the state on the call of the chairperson.

(f) The provisions of the acts contained in article 12 of chapter 46 of the Kansas Statutes Annotated, and amendments thereto, applicable to special committees shall apply to the joint committee on KanCare oversight to the extent that the same do not conflict with the specific provisions of this section applicable to the joint committee.

(g) Members of the joint committee on KanCare oversight shall receive compensation, travel expenses and subsistence expenses as provided in K.S.A. 75-3212, and amendments thereto, when attending meetings of the joint committee.

(h) The staff of the legislative research department, the office of revisor of statutes and the division of legislative administrative services shall provide such assistance as may be requested by the joint committee on KanCare oversight and to the extent authorized by the

legislative coordinating council.

(i) The joint committee on KanCare oversight shall monitor and study the implementation and operations of the home and community services programs and state medicaid programs including, but not limited to, access to and the quality of services provided and any financial information and budgetary issues. In addition, the joint committee on KanCare oversight may hold a hearing on any policy issue involving the health and well-being of Kansans in general. Any state agency shall provide data and information on KanCare programs, including, but not limited to, pay for performance measures, quality measures and enrollment and disenrollment in specific plans, to the joint committee on KanCare oversight, as requested.

(j) In accordance with K.S.A. 46-1204, and amendments thereto, the legislative coordinating council may provide for such professional services as may be requested by the joint committee on KanCare oversight.

(k) The joint committee on KanCare oversight may introduce legislation as it deems necessary in performing its functions.

(l) The provisions of this section shall expire upon the termination of the provision of state medicaid services in a managed care system.

Sec. 2. K.S.A. 2011 Supp. 39-7,161 is hereby amended to read as follows: 39-7,161. (a)

(1) There is hereby established the home and community based services savings fund in the state treasury which shall be administered by the secretary of social and rehabilitation services. All savings resulting from transferring individuals from the state or private institutions to home and community based services shall be deposited in this fund. All expenditures from the home and community based services savings fund shall be in accordance with the provisions of

appropriation acts upon vouchers approved by the secretary of social and rehabilitation services or the secretary's designee.

(2) Whenever an individual, who is residing in an institution, transfers to home and community based services, the secretary of social and rehabilitation services shall determine the savings attributable to such transfer and shall certify the amount or amounts of such savings to the director of accounts and reports. Upon receipt of each such certification, the director of accounts and reports shall transfer the amount or amounts specified in such certification from the funds and accounts specified to the home and community based services savings fund of the department of social and rehabilitation services in accordance with such certification. The secretary of social and rehabilitation services shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

(b) The secretary shall certify to the joint committee on ~~home and community based services~~ KanCare oversight at the beginning of each calendar quarter the amount of savings resulting from transferring individuals from the state or private institutions to home and community based services that have been transferred during the preceding calendar quarter to the home and community based services savings fund from each state or private institution during the preceding quarter.

Sec. 3. K.S.A. 2011 Supp. 39-7,162 is hereby amended to read as follows: 39-7,162. (a)

(1) There is hereby established the home and community based services savings fund in the state treasury which shall be administered by the secretary of aging. All savings resulting from transferring individuals from the institutions to home and community based services shall be deposited in this fund. All expenditures from the home and community based services savings

fund shall be in accordance with the provisions of appropriation acts upon vouchers approved by the secretary of aging or the secretary's designee.

(2) Whenever an individual, who is residing in an institution, transfers to home and community based services, the secretary of aging shall determine the savings attributable to such transfer and shall certify the amount or amounts of such savings to the director of accounts and reports. Upon receipt of each such certification, the director of accounts and reports shall transfer the amount or amounts specified in such certification from the funds and accounts specified to the home and community based services savings fund of the department on aging in accordance with such certification. The secretary of aging shall transmit a copy of each such certification to the director of the budget and to the director of legislative research.

(b) The secretary shall certify to the joint committee on ~~home and community based services~~ KanCare oversight at the beginning of each calendar quarter the amount of savings resulting from transferring individuals from institutions to home and community based services that have been transferred during the preceding calendar quarter to the home and community based services savings fund from each institution during the preceding quarter.

Sec. 4. K.S.A. 2011 Supp. 39-7,160, 39-7,161, 39-7,162 and 46-3501 are hereby repealed.

Sec. 5. This act shall take effect and be in force from and after its publication in the Kansas register.

2012 Session

Roll Call of the House
for Additional Sponsors

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