

HOUSE BILL No. 2475

By Committee on Children and Families

1-18

1 AN ACT concerning public health and welfare; relating to the funding for
2 home and community-based services for the developmentally disabled
3 program of the department of social and rehabilitation services;
4 prescribing certain powers, duties and functions for preparation of
5 caseload estimates; amending K.S.A. 2011 Supp. 75-3717 and
6 repealing the existing section.

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

9 New Section 1. For the fiscal year ending June 30, 2014, and for each
10 fiscal year thereafter, the secretary of social and rehabilitation services
11 shall prepare and submit a budget estimate to the division of the budget
12 pursuant to K.S.A. 2011 Supp. 75-3717, and amendments thereto, for the
13 department of social and rehabilitation services, which includes adequate
14 funding for the home and community-based services for the developmental
15 disabilities program of the HCBS-MR/DD waiver and for the income-
16 eligible state program for persons who are not yet certified eligible for the
17 developmental disabilities program of the HCBS-MR/DD waiver. Each
18 such budget estimate shall be based on the most current caseload estimates
19 for such programs that are prepared pursuant to section 2, and amendments
20 thereto, for the fiscal year.

21 New Sec. 2. (a) On or before each December 4 and on or before each
22 April 4, the director of the budget and the director of the legislative
23 research department shall prepare a joint estimate of caseloads for the
24 home and community-based services for the developmental disabilities
25 program of the HCBS-MR/DD waiver and the income-eligible state
26 program for persons who are not yet certified eligible for the
27 developmental disabilities program of the HCBS-MR/DD waiver for the
28 current fiscal year and ensuing fiscal year.

29 (b) In the event of a disagreement or failure to agree upon a joint
30 estimate of caseloads pursuant to subsection (a), the legislature shall utilize
31 the estimates of the director of the legislative research department and the
32 governor shall utilize the estimates of the director of the budget.

33 Sec. 3. K.S.A. 2011 Supp. 75-3717 is hereby amended to read as
34 follows: 75-3717. (a) As provided in this section, each state agency, not
35 later than October 1 of each year, shall file with the division of the budget
36 its budget estimates for the next fiscal year, and all amendments and

1 revisions thereof, except that, in lieu of such annual filing, each agency
2 listed in subsection (f), not later than October 1, 2000, and every two years
3 thereafter of each even-numbered year, shall file budget estimates for the
4 next fiscal year and for the ensuing fiscal year thereafter. Each agency
5 listed in subsection (f) may file adjustments to such agency's budget that
6 was approved by the legislature during a prior fiscal year. *Subject to the*
7 *provisions of section 1, and amendments thereto*, all such budget estimates
8 shall be in the form provided by the director of the budget. Each agency's
9 budget estimates shall include:

10 (1) A full explanation of the agency's request for any appropriations
11 for the expansion of present services or the addition of new activities,
12 including an estimate of the anticipated expenditures for the next fiscal
13 year and for each of the three ensuing fiscal years which would be required
14 to support each expansion of present services or addition of new services
15 as requested by the state agency;

16 (2) a listing of all programs of the agency that provide services for
17 children and their families and the following information regarding each
18 such program: Of the amount of the agency's request for appropriations to
19 fund the program, that amount which will be spent on services for children
20 or families with children and the number of children or families with
21 children who are served by the program; and

22 (3) a listing of the sources and amounts of all federal funds received
23 or budgeted for by a state agency for the purpose of homeland security or
24 for the purpose of sustaining, enhancing or improving the safety and
25 security of the state, the amount of such funds budgeted for expenditure on
26 administrative cost and the amount of such funds budgeted for expenditure
27 on aid to each unit of local government.

28 (b) At the same time as each state agency submits to the division of
29 the budget a copy of its budget estimate, and all amendments and revisions
30 thereof, each such state agency shall submit a copy of such estimate, and
31 all amendments and revisions thereof, directly to the legislative research
32 department for legislative use.

33 (c) The director of the budget shall require the agencies to submit a
34 sufficient number of copies of their budget estimates, and all amendments
35 and revisions thereof, to the director's office to satisfy the requirements of
36 such office and one additional copy for legislative use which shall be
37 retained in the division of the budget until the budget of the governor is
38 submitted to the legislature. On or before the day that such budget is
39 submitted to the legislature such legislative use copy, posted to reflect the
40 governor's budget recommendations, shall be submitted to the legislative
41 research department for use by the ways and means committee of the
42 senate and the committee on appropriations of the house of
43 representatives. Following presentation of the governor's budget report to

1 the legislature, the legislative research department may request and shall
2 receive detailed information from the division of the budget on the
3 governor's budget recommendations.

4 (d) The director of the budget may prepare budget estimates for any
5 state agency failing to file a request.

6 (e) As used in this section, "services for children and their families"
7 includes but is not limited to any of the following services, whether
8 provided directly or made accessible through subsidies or other payments:

9 (1) Financial support for children and families with children or
10 enforcement of the obligation to support a child or a family with one or
11 more children;

12 (2) prenatal care, health care for children or immunizations for
13 children;

14 (3) mental health or retardation services for children;

15 (4) nutrition for children or families with children or nutritional
16 counseling or supplements for pregnant or nursing women;

17 (5) child care, early childhood education or parenting education;

18 (6) licensure or regulation of child care or early childhood education
19 programs;

20 (7) treatment, counseling or other services to preserve families;

21 (8) care, treatment, placement or adoption of children without
22 functioning families;

23 (9) services to prevent child abuse and to treat and protect child abuse
24 victims;

25 (10) services for children who are pregnant, substance abusers or
26 otherwise involved in high risk behavior;

27 (11) services related to court proceedings involving children; and

28 (12) youth employment services.

29 (f) On a biennial basis, the following state agencies shall file budget
30 estimates under the provisions of subsection (a): Abstracters' board of
31 examiners, behavioral sciences regulatory board, board of accountancy,
32 board of examiners in optometry, board of nursing, consumer credit
33 commissioner, Kansas board of barbering, Kansas board of examiners in
34 fitting and dispensing of hearing aids, Kansas dental board, Kansas real
35 estate commission, Kansas state board of cosmetology, office of the
36 securities commissioner of Kansas, real estate appraisal board, state bank
37 commissioner, state board of healing arts, state board of mortuary arts,
38 state board of pharmacy, state board of technical professions, state board
39 of veterinary examiners, governmental ethics commission, state
40 department of credit unions, and Kansas home inspectors registration
41 board.

42 Sec. 4. K.S.A. 2011 Supp. 75-3717 is hereby repealed.

43 Sec. 5. This act shall take effect and be in force from and after its

- 1 publication in the statute book.
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