

## Executive Reorganization Order No. 47

By Governor Laura Kelly

1-26

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1 Section 1. (a) The Kansas department for children and families is  
2 hereby renamed the Kansas department of human services. Except as  
3 otherwise provided by this order, whenever the department for children  
4 and families, or words of like effect, are referred to or designated by any  
5 statute, rule and regulation, contract, or any other document regardless of  
6 whether such reference is in regard to any of the powers, duties, or  
7 functions transferred pursuant to this order or not, such reference or  
8 designation shall be deemed to apply to the Kansas department of human  
9 services. Except as otherwise provided by this order, whenever the  
10 secretary for children and families, or words of like effect, are referred to  
11 or designated by any statute, rule and regulation, contract, or any other  
12 document regardless of whether such reference is in regard to any of the  
13 powers, duties, or functions transferred pursuant to this order or not, such  
14 reference or designation shall be deemed to apply to the secretary of  
15 human services.

16 (b) It is intended that the Kansas department of human services and  
17 the secretary of human services shall have authority to administer all  
18 programs and services which are currently being administered by the  
19 Kansas department for children and families when this order becomes  
20 effective, including any programs, services and grants for which the  
21 Kansas department for children and families is serving as an operating  
22 agency or grants manager for another state agency or federal agency at  
23 the time this order becomes effective.

24 (c) On the effective date of this order, the Kansas department of  
25 human services shall succeed to whatever right, title or interest the  
26 Kansas department for children and families has acquired in any real  
27 property in this state, and the Kansas department of human services shall  
28 hold the same for and in the name of the state of Kansas. On and after the  
29 effective date of this order, whenever any statute, contract, deed or other  
30 document concerns the power or authority of the Kansas department for  
31 children and families or the secretary for children and families to acquire,  
32 hold or dispose of real property or any interest therein, the Kansas  
33 department of human services shall succeed to such power or authority.

34 (d) The Kansas department of human services shall succeed to all  
35 property, property rights, and records which were used for or pertain to  
36 the performance of powers, duties, and functions transferred to it by this

1 order from the department for children and families and the secretary for  
2 children and families. Any conflict as to the proper disposition of  
3 property, personnel, or records arising under this order shall be  
4 determined by the governor, whose decision shall be final.

5 (e) The secretary of human services may adopt rules and regulations  
6 for the government, regulation and operation of programs and services  
7 administered by the Kansas department of human services.

8 Sec. 2. (a) The Kansas department for aging and disability services  
9 created by K.S.A. 75-5902 et seq. and Executive Reorganization Order  
10 No. 41, is hereby abolished.

11 (b) Except as otherwise provided by this order, all of the jurisdiction,  
12 powers, functions and duties of the Kansas department for aging and  
13 disability services and the secretary of the Kansas department for aging  
14 and disability services are hereby transferred to and conferred and  
15 imposed upon the Kansas department of human services and the secretary  
16 of human services.

17 (c) Except as otherwise provided by this order, the Kansas department  
18 of human services and the secretary of human services shall be the  
19 successor in every way to the jurisdiction, powers, duties and functions of  
20 the Kansas department for aging and disability services and the secretary  
21 for aging and disability services in which the same were vested prior to  
22 the effective date of this order. Every act performed in the exercise of  
23 such jurisdiction, powers, duties and functions by or under the authority  
24 of the Kansas department of human services and the secretary of human  
25 services shall be deemed to have the same force and effect as if  
26 performed by the Kansas department for aging and disability services or  
27 the secretary for aging and disability services, respectively, in which such  
28 jurisdiction, powers, duties and functions were vested prior to the  
29 effective date of this order.

30 (d) Except as otherwise provided by this order, whenever the  
31 department for aging and disability services, or words of like effect, is  
32 referred to or designated by a statute, contract or other document, such  
33 reference or designation shall be deemed to apply to the Kansas  
34 department of human services.

35 (e) Except as otherwise provided by this order, whenever the secretary  
36 for aging and disability services, or words of like effect, is referred to or  
37 designated by a statute, contract or other document, such reference or  
38 designation shall be deemed to apply to the secretary of human services.

39 (f) All rules and regulations, policies and procedures of the Kansas  
40 department for aging and disability services or the secretary for aging and  
41 disability services which relate to the functions transferred by this order  
42 and which are in effect on the effective date of this order shall continue to  
43 be effective and shall be deemed to be rules and regulations, policies and

1 procedures of the Kansas department of human services or the secretary  
2 of human services until revised, amended, revoked, or nullified pursuant  
3 to law.

4 (g) All orders and directives of the Kansas department for aging and  
5 disability services or the secretary for aging and disability services in  
6 existence on the effective date of this order shall continue to be effective  
7 and shall be deemed to be orders and directives of the Kansas department  
8 of human services or the secretary of human services until revised,  
9 amended or nullified pursuant to law.

10 (h) On the effective date of this order, the Kansas department of  
11 human services shall succeed to whatever right, title or interest the  
12 Kansas department for aging and disability services has acquired in any  
13 real property in this state, and the Kansas department of human services  
14 shall hold the same for and in the name of the state of Kansas. On and  
15 after the effective date of this order, whenever any statute, contract, deed  
16 or other document concerns the power or authority of the Kansas  
17 department for aging and disability services or the secretary for aging and  
18 disability services to acquire, hold or dispose of real property or any  
19 interest therein, the Kansas department of human services shall succeed  
20 to such power or authority.

21 (i) The Kansas department of human services and the secretary of  
22 human services shall be continuations of the Kansas department for aging  
23 and disability services and the secretary for aging and disability services.

24 (j) The secretary of human services shall determine the manner in  
25 which the office of the secretary of aging and disability services is  
26 organized within the Kansas department of human services.

27 (k) The secretary of human services shall determine the manner in  
28 which aging, disability and behavioral health programs are organized  
29 within the Kansas department of human services.

30 (l) The secretary of human services shall determine the manner in  
31 which programs provided by the institutions, as defined by subsection (b)  
32 of K.S.A. 76-12a01, and amendments thereto, are organized within the  
33 Kansas department of human services.

34 (m) The secretary of human services shall determine the manner in  
35 which survey, certification and credentialing programs are organized  
36 within the Kansas department of human services.

37 (n) The secretary of human services shall determine the manner in  
38 which financial and information services programs are organized within  
39 the Kansas department of human services.

40 Sec. 3. (a) The secretary of human services shall appoint such officers  
41 and employees as may be needed to carry out the powers and duties  
42 which the secretary assigns to the office of the secretary, aging, disability  
43 and behavioral health functions, institution functions, survey, certification

1 and credentialing functions, and office of the financial and information  
2 services commission of the Kansas department of human services.

3 (b) All officers and employees in the Kansas department for aging and  
4 disability services who, immediately prior to the effective date of this  
5 order, are engaged in the exercise and performance of the powers, duties,  
6 and functions transferred by this order, are hereby transferred to the  
7 Kansas department of human services unless the secretary of human  
8 services determines that some officers or employees are not performing  
9 necessary services. All classified employees so transferred shall retain  
10 their status as classified employees. Thereafter, the secretary of human  
11 services may convert vacant classified positions to positions in the  
12 unclassified service under the Kansas civil service act.

13 (c) Officers and employees in the Kansas department for aging and  
14 disability services transferred by this order shall retain all retirement  
15 benefits and leave balances and rights which had accrued or vested prior  
16 to the date of transfer. The service of each such employee so transferred  
17 shall be deemed to have been continuous. Any subsequent transfers,  
18 layoffs, or abolition of classified service positions under the Kansas civil  
19 service act shall be made in accordance with the civil service laws and  
20 any rules and regulations adopted thereunder.

21 (d) The Memorandum of Agreement between the State of Kansas and  
22 the Kansas Organization of State Employees that is in existence on the  
23 effective date of this order shall continue to be effective until revised,  
24 amended or nullified pursuant to the terms of the Memorandum of  
25 Agreement.

26 Sec. 4. (a) The aging and disability community services and programs  
27 commission and the behavioral health services commission of the Kansas  
28 department for aging and disability services is hereby transferred to the  
29 Kansas department of human services and shall be a part thereof. The  
30 aging and disability community and services programs commission and  
31 the behavioral health services commission transferred to the Kansas  
32 department of human services by this order shall be administered by the  
33 secretary of human services.

34 (b) The secretary of human services shall determine the manner in  
35 which programs and services provided by the aging and disability  
36 community services and programs commission and the behavioral health  
37 services commission shall be organized within the Kansas department of  
38 human services.

39 (c) The programs transferred from the aging and disability community  
40 services and programs commission and the behavioral services  
41 commission of the Kansas department for aging and disability services  
42 are:

- 43 (1) Mental health and substance abuse;

1 (2) serious emotionally disturbed, intellectual and developmental  
2 disability, physical disability, brain injury, autism, technology assistance,  
3 and frail and elderly Medicaid waivers and programs;

4 (3) licensure and regulation of community mental health centers, as  
5 defined by K.S.A. 39-2002, and amendments thereto;

6 (4) regulation of community developmental disability organizations, as  
7 defined by K.S.A. 39-1801 et seq., and amendments thereto;

8 (5) licensure of private psychiatric hospitals, as defined by K.S.A. 39-  
9 2001 et seq., and amendments thereto;

10 (6) licensure of psychiatric residential treatment facilities under  
11 subsection (c) of K.S.A. 65-503, and amendments thereto, and subsection  
12 (k) of K.A.R. 28-4-1200 on the effective date of this order, and  
13 subsection (g)(3) of K.S.A. 72-1173, and amendments thereto;

14 (7) licensure and regulation of facilities and providers of residential  
15 and day supports services, as defined by K.S.A. 39-2001 et seq., and  
16 amendments thereto;

17 (8) licensure and regulation of residential care facilities, as defined by  
18 K.S.A. 39-2001 et seq., and amendments thereto;

19 (9) licensure and regulation of crisis intervention centers, as defined by  
20 K.S.A. 39-2001 et seq., and amendments thereto;

21 (10) licensure and regulation of providers of addiction and prevention  
22 services, as defined by K.S.A. 75-5375, et. seq; and;

23 (11) licensure and regulation of providers of services and  
24 administration of grants for the older Americans act (OAA), senior care  
25 act (SCA), and Medicare programs including the senior health insurance  
26 counseling for Kansas (SHICK), the senior Medicare patrol (SMP), and  
27 the Medicare improvements for patients and providers act (MIPPA), the  
28 client assessment, referral and evaluation program (CARE), the respite  
29 for caregivers program, and the program of all-inclusive care for the  
30 elderly (PACE);

31 (12) any other programs and related grants administered by the aging  
32 and disability community services and programs commission and the  
33 behavioral health services commission of the Kansas department for  
34 aging and disability services prior to the effective date of this order.

35 (d) Except as otherwise provided by this order, all powers, duties, and  
36 functions of the secretary for aging and disability services pertaining to  
37 the aging and disability community services and programs commission  
38 and the behavioral health services commission transferred by this order,  
39 including that agency's designation as the Medicaid single state authority  
40 for substance abuse and for mental health, are hereby transferred to and  
41 imposed upon the secretary of human services.

42 (e) The Kansas department of human services shall be the successor  
43 in every way to the powers, duties, and functions of the Kansas

1 department for aging and disability services pertaining to the aging and  
2 disability community services and supports commission and the  
3 behavioral health services commission transferred by this order. Every act  
4 performed in the exercise of such transferred powers, duties, and  
5 functions by or under the authority of the Kansas department of human  
6 services shall be deemed to have the same force and effect as if  
7 performed by the Kansas department for aging and disability services in  
8 which such powers, duties, and functions were vested prior to the  
9 effective date of this order.

10 Sec. 5. (a) The state hospitals commission of the Kansas department  
11 for aging and disability services is hereby transferred to the Kansas  
12 department of human services and shall be a part thereof. All institutions,  
13 as defined by subsection (b) of K.S.A. 76-12a01, and amendments  
14 thereto, and the programs operated by such institutions are hereby  
15 transferred from the Kansas department for aging and disability services  
16 to the Kansas department of human services. All such institutions shall be  
17 administered by the secretary of human services.

18 (b) Except as otherwise provided by this order, all powers, duties, and  
19 functions of the secretary for aging and disability services pertaining to  
20 the programs and operation of the institutions, as defined by subsection  
21 (b) of K.S.A. 76-12a01, and amendments thereto, are hereby transferred  
22 to and imposed upon the secretary of human services.

23 (c) The secretary of human services shall determine the manner in  
24 which programs and services provided by the state hospitals commission  
25 and institutions shall be organized within the Kansas department of  
26 human services.

27 (d) The Kansas department of human services shall be the successor  
28 in every way to the powers, duties, and functions of the Kansas  
29 department for aging and disability services pertaining to the programs  
30 and operation of the state hospital commission and the institutions that  
31 are transferred by this order. Every act performed in the exercise of such  
32 transferred powers, duties, and functions by or under the authority of the  
33 Kansas department of human services shall be deemed to have the same  
34 force and effect as if performed by the Kansas department for aging and  
35 disability services in which such powers, duties, and functions were  
36 vested prior to the effective date of this order.

37 Sec. 6. (a) The survey, certification and credentialing commission of  
38 the Kansas department for aging and disability services is hereby  
39 transferred to the Kansas department of human services and shall be a  
40 part thereof. The survey, certification and credentialing commission  
41 transferred to the Kansas department of human services by this order  
42 shall be administered by the secretary of human services.

43 (b) The secretary of human services shall determine the manner in

1 which programs and services provided by the survey, certification and  
2 credentialing commission shall be organized within the Kansas  
3 department of human services.

4 (c) The programs to be transferred by this commission are the Kansas  
5 act on credentialing, K.S.A. 65-5001 through 65-5011, and amendments  
6 thereto, including the following programs:

7 (1) Licensure of adult care home administrators, as defined by  
8 subsection (c) of K.S.A. 65-3501, and amendments thereto;

9 (2) licensure of dietitians, as defined by subsection (f) of K.S.A. 65-  
10 5902, and amendments thereto;

11 (3) certification of residential care facility operators, as defined by  
12 subsection (a)(21) of K.S.A. 39-923, and amendments thereto;

13 (4) certification of activity directors, as defined by subsection (a) of  
14 K.A.R. 26-39-100 on the effective date of this order;

15 (5) certification of social service designees, as defined by subsection  
16 (sss) of K.A.R. 26-39-100 on the effective date of this order;

17 (6) certification of nurse aides, as defined by subsection (qq) of  
18 K.A.R. 26-39-100 on the effective date of this order;

19 (7) certification of medication aides as defined by subsection (nn) of  
20 K.A.R. 26-39-100 on the effective date of this order;

21 (8) certification of home health aides as defined by subsection (e) of  
22 K.S.A. 65-5101, and amendments thereto; and

23 (9) maintenance of the Kansas nurse aide registry under subsection (c)  
24 of K.S.A. 39-936, and amendments thereto, and K.S.A. 39-1411, and  
25 amendments thereto;

26 (10) survey and licensure of adult care home facilities under the adult  
27 care home licensure act under K.S.A. 39-923 et seq., and amendments  
28 thereto.

29 (d) The criminal history record check program, as authorized by  
30 individual credentialing statutes or rules and regulations, K.S.A. 39-969,  
31 and amendments thereto, K.S.A. 39-970, and amendments thereto, K.S.A.  
32 39-2009, and amendments thereto, and subsection (b) of K.S.A. 22-4707,  
33 and amendments thereto, is hereby transferred from the Kansas  
34 department of aging and disability services to the Kansas department of  
35 human services and shall be a part thereof.

36 (e) The licensure of adult care home administrators, the licensure of  
37 dieticians, the certification of residential care facility operators, the  
38 certification of activity directors, the certification of social service  
39 designees, the certification of nurse aides, the certification of medication  
40 aides, the certification of home health aides, the board of adult care home  
41 administrators, the maintenance of the Kansas nurse aide registry, the  
42 survey and licensure of adult care home facilities, and the criminal history  
43 record check program shall be administered by the secretary of human

1 services. Nothing in this order shall change or diminish the authority of  
2 the board of adult care home administrators established by K.S.A. 65-  
3 3506, and amendments thereto.

4 (f) Except as otherwise provided by this order, all powers, duties, and  
5 functions of the secretary of aging and disability services pertaining to the  
6 licensure of adult care home administrators, the licensure of dietitians,  
7 the certification of residential care facility operators, the certification of  
8 activity directors, the certification of social service designees, the  
9 certification of nurse aides, the certification of medication aides, the  
10 certification of home health aides, the board of adult care home  
11 administrators, the Kansas nurse aide registry, the survey and licensure of  
12 adult care home facilities, and the criminal record check program  
13 transferred by this order are hereby transferred to and imposed upon the  
14 secretary of human services.

15 (g) The Kansas department of human services shall be the successor  
16 in every way to the powers, duties, and functions of the Kansas  
17 department of aging and disability services pertaining to those portions of  
18 the survey, certification and credentialing program transferred by this  
19 order. Every act performed in the exercise of such transferred powers,  
20 duties, and functions by or under the authority of the Kansas department  
21 of human services shall be deemed to have the same force and effect as if  
22 performed by the Kansas department of aging and disability services in  
23 which such powers, duties, and functions were vested prior to the  
24 effective date of this order.

25 Sec. 7. (a) The financial and information services commission of the  
26 Kansas department for aging and disability services, including agency-  
27 specific information technology and financial oversight programs and  
28 services, is hereby transferred to the Kansas department of human  
29 services and shall be a part thereof. The financial and information  
30 services commission transferred to the Kansas department of human  
31 services by this order shall be administered by the secretary of human  
32 services.

33 (b) The secretary of human services shall determine the manner in  
34 which programs and services provided by the financial and information  
35 services commission shall be organized within the Kansas department of  
36 human services.

37 (c) Except as otherwise provided by this order, all powers, duties, and  
38 functions of the secretary of aging and disability services pertaining to the  
39 programs and services administered by the financial and information  
40 services commission transferred by this order are hereby transferred to  
41 and imposed upon the secretary of human services.

42 (d) The Kansas department human services shall be the successor in  
43 every way to the powers, duties, and functions of the Kansas department

1 of aging and disability services pertaining to those portions of the  
2 financial and information services programs transferred by this order.  
3 Every act performed in the exercise of such transferred powers, duties,  
4 and functions by or under the authority of the Kansas department of  
5 human services shall be deemed to have the same force and effect as if  
6 performed by the Kansas department of aging and disability services in  
7 which such powers, duties, and functions were vested prior to the  
8 effective date of this order.

9 Sec. 8. (a) The powers, duties, and functions of the Kansas  
10 department for aging and disability services and the secretary for aging  
11 and disability services pertaining to any and all receiverships of adult care  
12 homes filed pursuant to K.S.A. 39-954 et seq., amendments thereto, is  
13 hereby transferred to the Kansas department of human services and shall  
14 be a part thereof. The powers, duties, and functions of the receiver  
15 transferred to the Kansas department of human services by this order  
16 shall be administered by the secretary of human services.

17 (b) The secretary of human services shall determine the manner in  
18 which the receivership program administered under K.S.A. 39-954 et  
19 seq., and amendments thereto, shall be organized within the Kansas  
20 department of human services.

21 (c) The Kansas department of human services and the secretary of  
22 human services shall be the successor in every way to the receiver's  
23 powers, duties, and functions of the Kansas department for aging and  
24 disability services and the secretary for aging and disability services  
25 pertaining to any and all receiverships of adult care homes filed pursuant  
26 to K.S.A. 39-954 et seq., and amendments thereto, pending on the  
27 effective date of this order.

28 (d) Whenever the Kansas department for aging and disability services,  
29 the secretary for aging and disability services, or words of like effect, is  
30 referred to or designated by a statute, contract, order or other document  
31 and such reference is in regard to any of the powers, duties, or functions  
32 of the receiver under K.S.A. 39-954 et seq., and amendments thereto,  
33 transferred to the Kansas department of human services from the Kansas  
34 department for aging and disability services by this order, such reference  
35 or designation shall be deemed to apply to the Kansas department of  
36 human services or the secretary of human services.

37 (e) All rules and regulations, orders, and directives of the Kansas  
38 department for aging and disability services and the secretary for aging  
39 and disability services, or words of like effect, which relate to the powers,  
40 duties and functions of the receiver under K.S.A. 39-954 et seq., and  
41 amendments thereto, on the effective date of this order, shall be effective  
42 and shall be deemed to be rules and regulations, orders, and directives of  
43 the Kansas department of human services and the secretary of human

1 services until revised, amended, revoked, or nullified pursuant to law.

2 Sec. 9. (a) The balances of all funds or accounts thereof appropriated  
3 or reappropriated for the Kansas department for aging and disability  
4 services relating to the powers, duties, and functions transferred by this  
5 order are hereby transferred within the state treasury to the Kansas  
6 department of human services and shall be used only for the purpose for  
7 which the appropriation was originally made.

8 (b) Liability for all accrued compensation or salaries of officers and  
9 employees who are transferred to the Kansas department of human  
10 services under this order shall be assumed and paid by the Kansas  
11 department of human services.

12 (c) Subject to the acts of the legislature, all fees, grant funds, and loan  
13 repayment funds of the Kansas department for aging and disability  
14 services dedicated to programs transferred by this order shall be  
15 transferred to the Kansas department of human services.

16 Sec. 10. (a) The Kansas department of human services shall succeed  
17 to all property, property rights, and records which were used for or pertain  
18 to the performance of powers, duties, and functions transferred to it by  
19 this order from the department of aging and disability services and the  
20 secretary of aging and disability services. Any conflict as to the proper  
21 disposition of property, personnel, or records arising under this order shall  
22 be determined by the governor, whose decision shall be final.

23 (b) When any conflict arises as to any power, duty, or function  
24 transferred from the department of aging and disability services and the  
25 secretary of aging and disability services resulting from any transfer  
26 made by or under the authority of this order, such conflict shall be  
27 resolved by the governor, whose decision shall be final.

28 Sec. 11. (a) Except as otherwise provided by this order, whenever the  
29 department of social and rehabilitation services, which was the  
30 predecessor to the department for children and families under Executive  
31 Reorganization No. 41, or words of like effect, is referred to or designated  
32 by any statute, rule and regulation, contract, internal policy or procedure,  
33 order or any other document regardless of whether such reference is in  
34 regard to any of the powers, duties, or functions transferred pursuant to  
35 this order or not, such reference or designation shall be deemed to apply  
36 to the Kansas department of human services. Except as otherwise  
37 provided by this order, whenever the secretary of social and rehabilitation  
38 services, or words of like effect, are referred to or designated by any  
39 statute, rule and regulation, contract, internal policy or procedure, order  
40 or any other document regardless of whether such reference is in regard  
41 to any of the powers, duties, or functions transferred pursuant to this  
42 order or not, such reference or designation shall be deemed to apply to  
43 the secretary of human services.

1 (b) On the effective date of this order, the Kansas department of  
2 human services shall succeed to whatever right, title or interest the  
3 department of social and rehabilitation services has acquired in any real  
4 property in this state, and the Kansas department of human services shall  
5 hold the same for and in the name of the state of Kansas. On and after the  
6 effective date of this order, whenever any statute, contract, deed or other  
7 document concerns the power or authority of the department of social and  
8 rehabilitation services to acquire, hold or dispose of real property or any  
9 interest therein, the Kansas department of human services shall succeed  
10 to such power or authority.

11 Sec. 12. (a) Except as otherwise provided by this order, whenever the  
12 department aging, which was the predecessor to the department for aging  
13 and disability services under Executive Reorganization No. 41, or words  
14 of like effect, are referred to or designated by any statute, rule and  
15 regulation, contract, internal policy or procedure, order or any other  
16 document regardless of whether such reference is in regard to any of the  
17 powers, duties, or functions transferred pursuant to this order or not, such  
18 reference or designation shall be deemed to apply to the Kansas  
19 department of human services. Except as otherwise provided by this  
20 order, whenever the secretary of aging, or words of like effect, are  
21 referred to or designated by any statute, rule and regulation, contract,  
22 internal policy or procedure, order or any other document regardless of  
23 whether such reference is in regard to any of the powers, duties, or  
24 functions transferred pursuant to this order or not, such reference or  
25 designation shall be deemed to apply to the secretary of human services.

26 (b) On the effective date of this order, the Kansas department of  
27 human services shall succeed to whatever right, title or interest the  
28 department on aging has acquired in any real property in this state, and  
29 the Kansas department of human services shall hold the same for and in  
30 the name of the state of Kansas. On and after the effective date of this  
31 order, whenever any statute, contract, deed or other document concerns  
32 the power or authority of the department on aging to acquire, hold or  
33 dispose of real property or any interest therein, the Kansas department of  
34 human services shall succeed to such power or authority.

35 Sec. 13. The Kansas department of human services and the secretary  
36 of human services shall have authority to administer all programs and  
37 services previously administered by the Kansas department for social and  
38 rehabilitation services, the Kansas department on aging, and the Kansas  
39 department for aging and disability services regardless of whether such  
40 programs and services are specifically mentioned in this order as being  
41 transferred to the Kansas department of human services. For purposes of  
42 this order, all programs and services intended to be transferred to the  
43 Kansas department of human services is intended to include all programs

1 and services for which the Kansas department for aging and disability  
2 services or the secretary for aging and disability services provides  
3 administration services, serves as the operating agency or serves as the  
4 manager of grant funds pursuant to an existing delegation of authority or  
5 memorandum of understanding between a predecessor of the Kansas  
6 department of human services and another state or federal agency on the  
7 effective date of this order.

8 Sec. 14. The secretary of human services may adopt rules and  
9 regulations for the government, regulation and operation of and all  
10 programs and services previously administered by the Kansas department  
11 for children and families, the Kansas department of social and  
12 rehabilitation services, the Kansas department for aging and disability  
13 services and the Kansas department on aging.

14 Sec. 15. (a) No suit, action, or other proceeding, judicial or  
15 administrative, lawfully commenced, or which could have been  
16 commenced, by or against any state agency or program mentioned in this  
17 order, or by or against any officer of the state in such officer's official  
18 duties, shall abate by reason of the governmental reorganization effected  
19 under the provisions of this order. The court may allow any such suit,  
20 action, or other proceeding to be maintained by or against the successor  
21 of any such state agency or any officer affected.

22 (b) No criminal action commenced, or which could have been  
23 commenced, by the state shall abate by the taking effect of this order.

24 Sec. 16. Except as otherwise provided by this order, all of the  
25 provisions of this order shall take effect and have the force of general law  
26 on July 1, 2021, unless disapproved by either house of the Kansas  
27 legislature as provided by subsection (c) of section 6 of article 1 of the  
28 constitution of Kansas, and unless so disapproved, this order is to be  
29 published as and with the acts of the legislature and the statutes of this  
30 state.

31