

2023 Kansas Statutes

39-1909. Kansas department for aging and disability services; psychiatric residential treatment facility licensure program transferred; powers, duties and functions of program transferred. (a) The psychiatric residential treatment facility licensure program of the department of health and environment is hereby transferred to the Kansas department for aging and disability services and shall be a part thereof. The psychiatric residential treatment facility licensure program shall be administered by the secretary for aging and disability services. As used in this section, "psychiatric residential treatment facility licensure program" means that portion of the licensure program of the department of health and environment under K.S.A. 65-501 et seq., for licensure of child care facilities, as defined by subsection (c) of K.S.A. 65-503, and amendments thereto, that are psychiatric residential treatment facilities, as defined by subsection (k) of K.A.R. 28-4-1200 on the effective date of K.S.A. 39-1901 through 39-1914, and amendments thereto, and subsection (g)(3) of K.S.A. 72-1173, and amendments thereto.

(b) Except as otherwise provided by K.S.A. 39-1901 through 39-1914, and amendments thereto, all powers, duties and functions of the secretary of health and environment pertaining to the psychiatric residential treatment facility licensure program transferred by K.S.A. 39-1901 through 39-1914, and amendments thereto, are hereby transferred to and imposed upon the secretary for aging and disability services.

(c) The Kansas department for aging and disability services shall be the successor in every way to the powers, duties and functions of the department of health and environment pertaining to the psychiatric residential treatment facility licensure program transferred by K.S.A. 39-1901 through 39-1914, and amendments thereto. Every act performed in the exercise of such transferred powers, duties and functions by or under the authority of the Kansas department for aging and disability services shall be deemed to have the same force and effect as if performed by the department of health and environment in which such powers, duties and functions were vested prior to the effective date of K.S.A. 39-1901 through 39-1914, and amendments thereto.

History: Executive Reorganization Order No. 41, § 9; L. 2012, ch. 185, § 9; July 1.