

2012 Kansas Statutes

75-7412. Health program policies; rules and regulations; duties; reports; contracts; budget requests; grants; advisory and policy coordination bodies. (a) The department of health and environment shall have the power and duty to establish general policies relating to the health programs under the department as provided in K.S.A. 2012 Supp. 75-7408, and amendments thereto, and to adopt rules and regulations therefor.

(b) The secretary of health and environment shall advise the governor and the legislature on all health programs, policies and plans for which the department of health and environment is responsible under this act.

(c) The department of health and environment shall establish an adequate system of financial records. The department of health and environment shall make periodic reports to the governor and shall make any reports required by federal agencies.

(d) The department of health and environment may assist other departments, agencies and institutions of the state and federal government and of other states under interstate agreements, when so requested, by performing services in conformity with the purposes of this act.

(e) All contracts of the department of health and environment shall be made in the name of the "department of health and environment." In that name, the department of health and environment may sue and be sued. The grant of authority under this subsection shall not be construed to be a waiver of any rights retained by the state under the 11th amendment to the United States constitution and shall be subject to and shall not supersede the provisions of any appropriation act of this state.

(f) After consulting with any agency that has responsibility under a contract with the department of health and environment for administration of any of the programs of the department, the secretary of health and environment shall prepare annually, at the time and in the form directed by the governor, a budget covering the estimated receipts and expenditures of the department of health and environment for the coming fiscal year.

(g) The secretary of health and environment shall have authority to make grants of funds for the promotion of health programs in the state of Kansas, subject to the provisions of appropriation acts.

(h) The secretary of health and environment may receive grants, gifts, bequests, money, or aid of any character whatsoever, for purposes consistent with K.S.A. 2012 Supp. 75-7408 through 75-7413, and amendments thereto.

(i) The secretary of health and environment may enter into agreements with other states or the agency designated as the single state agency under the federal social security act, 42 U.S.C. § 1396 et seq., and amendments thereto, for another state setting out the manner for determining the state of residence in disputed cases and the bearing or sharing of costs associated with those cases.

(j) The secretary of health and environment shall establish such advisory groups as are necessary to assist the division of health policy and finance in carrying out its responsibilities under K.S.A. 2012 Supp. 75-7408 through 75-7413, and amendments thereto, including the following:

(1) A consumer advisory board consisting of representatives of consumers of health care services provided under title XIX of the federal social security act, 42 U.S.C. § 1396 et seq., and title XXI of the social security act, 42 U.S.C. § 1397aa et seq., and amendments thereto, and representatives of these consumers' family members; and

(2) a policy coordination board consisting of representatives from those state agencies with which the secretary of health and environment enters into a contract under K.S.A. 2012 Supp. 75-7411, and amendments thereto, and representatives from any other state agencies, as determined by the department of health and environment.

(k) The department of health and environment shall perform any other duties and services that are necessary to carry out the purposes of K.S.A. 2012 Supp. 75-7408 through 75-7413, and amendments thereto, and that are not inconsistent with state law.

History: L. 2005, ch. 187, § 13; L. 2005, ch. 187, § 45; L. 2012, ch. 102, § 43; July 1.