



# Kansas Health Care Stabilization Fund

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March 5, 2013

The Honorable Pete DeGraaf, Chairman  
House Committee on General Government Budget  
458-W, Capitol Building  
Via Electronic Mail  
And Building Mail Service

RE: Senate Bill 102

Dear Chairman DeGraaf:

It has come to our attention that SB102 was passed by the Senate and referred to your Committee primarily "because the position of Director of Accounts and Reports was eliminated in a Department of Administration reorganization." This quote is from the supplemental note on SB102.

The Health Care Stabilization Fund Board of Governors does not have a position on SB102. We are, however, interested to learn that the position of Director of Accounts and Reports has been eliminated. We are concerned because the Health Care Provider Insurance Availability Act creates statutory relationships between the Health Care Stabilization Fund Board of Governors and the Director of Accounts and Reports. If the Director of Accounts and Reports position has been eliminated, we cannot perform some of our statutory duties in accordance with the letter of the law. There may be other state agencies that share our dilemma.

It is my understanding that the position of Director of Accounts and Reports is created by K.S.A. 75-3727a. I do not believe that section of the Statutes has been repealed. If K.S.A. 75-3727a has not already been amended, it is requested that you consider adding another section to SB102 that amends K.S.A. 75-3727a. The Revisor of Statutes may have some standard language that is typically used in situations like this, but a preliminary draft is enclosed for your consideration. We hope this information is helpful. Thank you.

Respectfully yours,

Charles L. Wheelen  
Executive Director

Cc: Secretary McGivern

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## Draft amendment to SB102

After line 17 insert the following:

Sec. 2. K.S.A. 75-3727a is hereby amended to read as follows: 75-3727a. (a) There is hereby established within and as a part of the department of administration, a division of accounts and reports, the head of which shall be the director of accounts and reports. Under the supervision of the secretary of administration, the director of accounts and reports shall administer the division of accounts and reports. The director of accounts and reports shall be in the unclassified service under the Kansas civil service act and shall be appointed by the secretary of administration.

(b) On and after the effective date of this act whenever the division of accounts and reports, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, or any other document, such reference or designation shall be deemed to apply to the department of administration.

(c) On and after the effective date of this act whenever the director of accounts and reports, or words of like effect, are referred to or designated by any statute, rule and regulation, contract, or any other document, such reference or designation shall be deemed to apply to the secretary of administration or the secretary's designee.

Sec. 3. K.S.A. 75-3727a and K.S.A. 2012 Supp. 75-4203 are hereby repealed.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.