

**75-5946. Same; contracts for long-term care services; annual reports by contracting agencies; reports to legislature; rules and regulations.** (a) The secretary for aging and disability services may contract for long-term care services with area agencies on aging or other community based entities designated by the secretary for aging and disability services. If an area agency on aging or other community based entity fails or is unable to provide services and local administration of the system, the secretary for aging and disability services shall enter into contracts for services with qualified local not-for-profit and other service providers to perform such services. All contracts made under this section, and all renewal contracts, shall provide that the contract is subject to successfully meeting performance standards set by the secretary for aging and disability services.

(b) Each such contract with an area agency on aging shall require the area agency on aging to submit to the secretary for aging and disability services a report annually on activities under the contract during the fiscal year by the area agency on aging, which report shall also include information about all kinds of services provided by the area agency on aging, including long-term care services, and the number of persons receiving each kind of service during the fiscal year. The secretary for aging and disability services shall submit to the senate committee on ways and means and the house of representatives committee on appropriations at the beginning of the regular session of the legislature in 1997 and annually thereafter a report of the information contained in such reports from the area agencies on aging.

(c) All such contracts for long-term care services shall be subject to appropriations limitations. No such contracts shall provide for any indemnification of any independent contractor. All such contractors shall be subject to and limited by any applicable federal grant requirements. The secretary may, but is not required to, comply with the competitive bid requirements of K.S.A. 75-3739, and amendments thereto. The secretary for aging and disability services shall be required to adopt rules and regulations for the administration of such contracts. If necessary to comply with applicable federal grant requirements, such powers may be assumed by the secretary for aging and disability services.

**History:** L. 1996, ch. 271, § 3; L. 2014, ch. 115, § 392; July 1.