Report of the
Joint Committee on Information Technology
to the
2023 Kansas Legislature

CHAIRPERSON: Senator Mike Petersen

VICE-CHAIRPERSON: Representative Kyle Hoffman

RANKING MINORITY MEMBER: Senator Jeff Pittman

OTHER MEMBERS: Senators Tom Holland, Kristen O'Shea, and Caryn Tyson; and Representatives Kenneth Collins, Pam Curtis, Steve Huebert, and Rui Xu

CHARGE

Review, Monitor, and Report on Technology Plans and Expenditures

The Committee is directed to:

- Study computers, telecommunications, and other information technologies used by state agencies and institutions. The state governmental entities defined by KSA 75-7201 include executive, judicial, and legislative agencies and Regents Institutions;

- Review proposed new acquisitions, including implementation plans, project budget estimates, and three-year strategic information technology plans of state agencies and institutions. All state governmental entities are required to comply with provisions of KSA 75-7209 *et seq.* by submitting such information for review by the Committee;

- Monitor newly implemented technologies of state agencies and institutions;

- Make recommendations to the Senate Committee on Ways and Means and House Committee on Appropriations on implementation plans, budget estimates, and three-year plans of state agencies and institutions; and

- Report annually to the Legislative Coordinating Council and make special reports to other legislative committees as deemed appropriate.

December 2022

Joint Committee on Information Technology

ANNUAL REPORT

Conclusions and Recommendations

The Joint Committee on Information Technology (Committee) submits the following recommendations and considerations to the 2023 Legislature:

● The Legislature should explore how to more easily enable collaboration and coordination between the State and the Kansas Air National Guard in order to prepare for and respond to cyberattacks and threats; and

● The State Department of Education should further emphasize the importance of information technology (IT) security and work to provide more IT security assistance to school districts.

Proposed legislation: Three bills*:*

● Legislation with contents similar to 2022 HB 2548 should be introduced and assigned to the appropriate committee during the 2023 Session;

○ The Committee notes the value of the proviso language contained in 2022 HB 2510, pertaining to the Committee's ability to advise and consult in FY 2023 on IT projects prior to the issuance of a request for proposal for an IT project;

● Legislation that would clarify an appointment of a legislative member to the Information Technology Executive Council, the duration of such individual's appointment terms, and the number of members that would constitute a quorum, and require a majority of the membership to vote in the affirmative in order for the Council to take actions should be introduced and assigned to the appropriate committee during the 2023 Session; and

● The Legislature should consider the introduction of legislation establishing a committee to evaluate state and local cybersecurity posture and IT funding, training, and talent retention, with diverse stakeholders to include, but not be limited to, legislative leaders, agency leadership, and representatives of local units of government, businesses, and federal organizations;

○ The Committee notes the structure of the established committee should be similar to the Unemployment Compensation Modernization and Improvement Council, created by 2021 Senate Sub. for Sub. for HB 2196.

(*Note:* For the purposes of this report, "Proposed Legislation" means items recommended for legislative action.)

The Joint Committee on Information Technology (Committee) has statutory duties assigned by its authorizing legislation in KSA 46-2101 *et seq.* The Committee may set its own agenda, meet on call of its Chairperson at any time and any place within the state, and introduce legislation. The Committee consists of ten members: five senators and five representatives. The duties assigned to the Committee by KSA 46-2101 and KSA 2018 Supp. 75-7201 *et seq.* are as follows:

- Study computers, telecommunications, and other information technologies used by state agencies and institutions. The state governmental entities defined by KSA 75-7201 include executive, judicial, and legislative agencies and Board of Regents institutions;

- Review proposed new acquisitions, including implementation plans, project budget estimates, and three-year strategic information technology (IT) plans of state agencies and institutions. All state governmental entities are required to comply with provisions of KSA 75-7209 *et seq.* by submitting such information for review by the Committee;

- Monitor newly implemented technologies of state agencies and institutions;

- Make recommendations to the Senate Committee on Ways and Means and the House Committee on Appropriations on implementation plans, budget estimates, and three-year plans of state agencies and institutions; and

- Report annually to the Legislative Coordinating Council (LCC) and make special reports to other legislative committees as deemed appropriate.

In addition to the Committee's statutory duties, the Legislature and its committees, including the LCC, may direct the Committee to undertake special studies and to perform other specific duties.

KSA 75-7210 requires the Executive, Judicial, and Legislative Chief Information Technology Officers (CITOs) to submit to the Committee annually all IT project budget estimates and revisions, all three-year plans, and all deviations from the state IT architecture. The Legislative CITO is directed to review the estimates and revisions, the three-year plans, and the deviations, and make recommendations to the Committee regarding the merits of and appropriations for the projects. In addition, the Executive and Judicial CITOs are required to report to the Legislative CITO the progress regarding implementation of projects and proposed expenditures, including revisions to such proposed expenditures.

COMMITTEE ACTIVITIES

The Committee met during the 2022 Legislative Session on January 24 and April 28, 2022. In addition to these days, the Committee met during the 2022 Interim, as authorized by the LCC, on August 17 (jointly with the Joint Committee on Kansas Security), September 26, and November 16, 2022.

Election of Chairperson, Vice-chairperson, and Ranking Minority Member

At the April 28, 2022, meeting, the Committee elected Senator Peterson as Chairperson, Representative Hoffman as Vice-chairperson, and Senator Pittman as Ranking Minority Member for the 2022 calendar year. Committee leadership elections were originally scheduled to occur at the January 24, 2022, meeting, but the elections were postponed due to time constraints.

IT-related Legislation

At the January 24, 2022, meeting, the Committee discussed legislation it requested during the 2021 Interim pertaining to oversight of state IT projects by the Committee and the Kansas Information Technology Office. An Assistant Revisor of Statutes provided the Committee with an overview of the draft legislation (22rs2422) and the changes the Committee requested at the previous meeting on December 15, 2021. The changes made to the legislation included, but were

not limited to, requiring project documentation to meet Kansas Information Technology Executive Council (ITEC) standards and defining the phrase "advise and consult."

The Committee approved the legislation for introduction during the 2022 Legislative Session. [*Note*: The legislation became 2022 HB 2548 and was passed by the House on a vote of 116-3. The bill was referred to the Senate Committee on Ways and Means, where no action was taken. Proviso language was added in Section 50 of 2022 HB 2510, the 2022 Appropriations Bill, which requires notification be sent and an opportunity be given to Committee members to advise and consult on IT projects prior to a request for proposal (RFP) is released.]

Executive Branch Quarterly IT Project Reports

At the September 26, 2022, meeting, the Chief Information Technology Architect (CITA) reviewed the Quarter 2, 2022, (April-June) IT project reports. The CITA reported that in Quarter 2, 2022, there were 63 active projects [*Note*: Quarter 1, 2022, projects were not presented to the Committee]. At the time of the report, six projects were in "alert" status. Projects are placed in "alert" status if they exceed 20 percent variance of 1 or more project performance metrics (schedule, deliverables, tasks, resources, or financial plan).

The six projects in "alert" status during Quarter 2, 2022, include the following:

● The Department of Administration (DOA) Printing Modernization project was behind schedule, awaiting the shipment of equipment anticipated to arrive in November 2022;

● The Department for Children and Families (DCF) Support Services Re-platforming project was experiencing schedule delays due to vendor issues and anticipated changes to federal regulations that would need to be captured in the system to ensure compliance;

● The Kansas Highway Patrol Criminal Justice Information System (CJIS) Software Upgrade project was behind

schedule and awaiting a project recast to account for the new timeline;

● The Office of Information Technology Services (OITS) ServiceNow IT Business Management Software Implementation project expanded the scope of the project to ensure the software is compatible for future use by other agencies;

● The Kansas State University IT Data Center Relocation project was awaiting equipment that had been delayed due to logistical issues and was classified as recast; and

● The Department of Labor Pondera Fraud Detection project was behind schedule due to issues with data migration as well as staffing shortages.

No projects were reported as being in "caution" status. Projects are placed in "caution" status if they exceed a 10-19 percent variance of one or more project performance metrics (schedule, deliverables, tasks, resources, or financial plan).

At the November 16, 2022, meeting, the CITA reviewed the Quarter 3, 2022, (July-September) IT projects report. The CITA reported that in Quarter 3, 2022, there were 61 projects being tracked. Seven projects were in "alert" status for Quarter 3, 2022. The seven projects include the following:

● The DOA Printing Modernization project was further delayed due to equipment not being shipped to the agency; the project was expected to be completed in October 2022;

● The Kansas Department for Aging and Disability Services (KDADS) Home and Community Based Services Final Rule Portal project was behind on both schedule and deliverables;

● The DCF Child Support Services Re-platforming project was further delayed on deliverables and will be recast to establish a new schedule for deliverables;

- The Kansas Highway Patrol CJIS Software Upgrade project was further delayed and behind schedule due to data migration issues and will be recast;

- The OITS ServiceNow IT Business Management Implementation project was delayed to ensure compatibility with external agencies;

- The Kansas Bureau of Investigation (KBI) Automated Biometric Identity System (ABIS) project was behind schedule, and the project will be recast; and

- The Department of Labor Pondera Fraud Detection project was behind schedule on deliverables.

  - No projects were reported as being in "caution" status.

Executive Branch IT Update

Executive Branch IT Leadership Staff Introductions and Updates

At the August 17, 2022, joint meeting with the Joint Committee on Kansas Security, the Secretary of Administration, who also serves as the Executive Branch CITO, provided the committees with an update on departmental staff. The Secretary introduced the State's new CITA, new Chief Information Officer (CIO) for the Department of Corrections, and the new IT Procurement Manager, a new position within DOA. The Secretary also noted that the CIO position at the Department of Labor and the combined CIO position at DCF and KDADS is open.

At the November 16, 2022, meeting, the Secretary introduced the new CIOs for DCF/KDADS and the Department of Labor. She also introduced the new Interim CIO for the Kansas Highway Patrol.

Agency IT Project Reporting Process Update

At the August 17, 2022, meeting, the CITA outlined the changes being implemented for agency IT project reports in response to 2022 HB 2510, Section 50, proviso language, primarily focusing on how the Committee is included in the development of each project. He explained that after the Kansas Information Technology Office (KITO) reviews a newly submitted project plan, the Committee is given the opportunity to provide feedback to the KITO before the CITO receives the project plan. He noted the review plan will be adjusted as needed during implementation.

Agency IT Project Business Risk Assessment Model Preview

At the September 26, 2022, meeting, the CITA provided the Committee with an update on the Kansas IT Business Risk Assessment. He discussed the Business Risk Framework Workgroup that was created in 2021 and its member makeup, draft proposals from March 31, 2022, and the goals, consideration, and process for risk assessment. The CITA provided the current iteration of the risk assessment framework and a case study that was utilized to evaluate the risk assessment framework on projects that have already been approved.

Federal Infrastructure Bill and and Executive Branch Cybersecurity Initiatives

At the August 17, 2022, meeting, the Chief Information Security Officer (CISO), Kansas Information Security Office (KISO), reported on aspects of the federal Infrastructure Investment and Jobs Act, Public Law 117-58 (also known as the Bipartisan Infrastructure Law), that will assist state, local, tribal, and territorial governments in addressing cybersecurity risks.

He stated that KISO was waiting for the Notice of Funding Opportunity announcement on how the $1.0 billion in funding was to be apportioned over the next four federal fiscal years. He stated the law requires 80 percent of the funding to be allocated to local units of government and 20 percent to be allocated to the State. The State is responsible for creating a planning committee to determine priorities and develop, implement, and revise a cybersecurity plan, which is an ongoing process that includes releasing an RFP for grant administration resources.

At the September 26, 2022, meeting, the CISO stated Kansas' allocation from the U.S.

Department of Homeland Security Cyber Security Grant Program for FY 2022 will be $2.8 million, with a 10 percent cost-share applied for each individual project. The funds may be used to develop a holistic statewide cybersecurity plan.

At the November 16, 2022, meeting, the CISO discussed the creation of a statewide cybersecurity planning committee tasked with developing the statewide plan. The plan is due September 2023.

2022 Cybersecurity Self-assessment and other KISO initiatives

At the November 16, 2022, meeting, the CISO also provided information from the 2022 Cybersecurity Self-assessment Survey for state agencies. This is the second year the survey has been conducted, and since the last self-assessment, the KISO noted the agency has created a Director of Cyber Collaboration position, a cyber-preparedness position, and an intern program. The CISO stated the office has begun interacting with local units of government and local associations, planning a state cybersecurity conference, and conducting more incident tabletop exercises.

The priority areas determined from the 2022 survey results include cyber risk management; disaster and incident response training; privacy assessment; and system security documentation.

At the November 16, 2022, meeting, the Secretary of Administration provided an overview of the three-year IT plans that every agency was required to submit to OITS. The IT plans are created based on a short standardized form where agencies select from predetermined objectives to identify areas of importance. The 3-Year IT Plan also seeks to highlight agency success stories and discuss broad challenges faced by the State such as cybersecurity and staffing resources. The top four agency objectives were the following:

- Application and infrastructure modernization;

- Continuous improvement of customer experience;

- Cybersecurity; and

- Digitization of process improvement.

Legislative Branch IT Update

At the August 17, 2022, meeting, the Legislative Branch CITO provided an update on the Legislative Branch Cybersecurity Assessment from fall 2021 and spring 2022. The CITO stated the social engineering portion of the assessment had been pushed back until the 2023 Legislative Session due to the additional responsibilities during the 2022 Session caused by the changeover of all Legislative Branch laptops. The outcome of the assessments determined the Legislative Branch IT system was "average" regarding cybersecurity vulnerabilities. The CITO also noted that IT staff had 40 laptops left to changeover out of the 394 laptops leased by the Legislature.

At the September 26, 2022, meeting, the Legislative Branch CITO and staff provided updates on Kansas Legislative Information System and Services (KLISS) modernization, application services, technical services, and ITEC. The CITO reviewed the timeline of the KLISS Modernization Project and noted the approval of Propolon as the vendor selected by the LCC on February 23, 2022. The Project had recently concluded contract negotiations, and the LCC authorized the LCC Chairperson to review and agree to the negotiated contract. Staff reviewed recent application and technical projects work, such as testing the new biennium build for KLISS, continued support of KLISS, implementation of automation software to aid with network security, and finalizing the legislative staff computer refresh. The CITO ended the presentation by providing the Committee with an update on ITEC. He stated ITEC updated its charter in June and noted that an issue had been discovered regarding questions about legislative membership requirements to be appointed to ITEC.

At the November 16, 2022, meeting, the Legislative Branch CITO provided the Committee with an update on the KLISS Modernization Project. He stated that the contract with Propolon was signed by the LCC Chairperson on October 19, 2022. Legislative staff and the vendor are working to analyze and design the new system with the current emphasis being on bill and amendment drafting system architecture and project schedules.

The CITO noted the Procurement Negotiating Committee has been retasked as the Project

Steering Committee and is working to finalize the milestone and delivery schedule required by OITS. The project manager is the Director of Application Services with the Kansas Legislative Office of Information Services.

Judicial Branch IT Update

At the September 26, 2022, meeting, the Judaical Branch CITO provided an update on the implementation of the new case management system and other projects. He stated that, as of the second week of September, all courts except the appellate courts and Douglas, Johnson, Sedgwick, Shawnee, and Wyandotte county courts have migrated to the new case management system.

The anticipated timeline is to onboard all the remaining courts in 2023 except for the Johnson County court, which will come online in 2024 due to the complex nature of how other county agencies are integrated into the current system. The CITO noted that the complex integration issues tend to occur in the more urban counties, which has led to some of the delays in implementation. He also noted that the ransomware attack that occurred in Wyandotte County impacted the case management system timeline, and the court is still working on digitizing all the paper records from the time span when the system was forced to return to paper files during the service outage caused by the ransomware attack.

The CITO also stated the Centralized Payment Center had been activated for all the courts in the state to allow for better accounting practices. Prior to this, each court was responsible for collecting their own payments and maintaining accounting records. The Committee also received a preview of an upcoming jury system project that will allow the court to integrate new technology, such as text messaging, in jury notification and communication, while also centralizing the process for the State.

IT Audits

At the August 17, 2022, meeting, Legislative Division of Post Audit (LPA) staff provided IT security audit presentations in executive session for the Department of Agriculture; Department of Labor; Judicial Branch; Office of the Attorney General; and Parsons State Hospital.

The Committee also received an audit presentation in open session regarding the cost, availability, and quality of having centralized IT security services for the State of Kansas.

At the September 26, 2022, meeting, LPA staff provided the Committee with updates on the IT Security Audit for Calendar Year 2021 and the IT Security Audit of USD 428, Great Bend, in executive session. In open session, LPA provided an update on the KBI Fingerprint System Information Technology Project.

Other Reports and Updates

At the August 17, 2022 meeting, a representative of the KBI provided a presentation on the agency's responsibilities regarding public safety cybersecurity. The KBI provided an update on the Automated Biometric Identity System (ABIS) project that is replacing the current fingerprint system. The representative stated that the anticipated completion date is sometime in 2023, but that the vendor's contract requires continued maintenance of the current system at no charge to the State until completion of the new system. The presentation also included an overview of the Kansas Criminal Justice Information System and the main elements of cybersecurity that the agency is faced with in maintaining the system. The Committee also received testimony from the KBI in executive session due to the sensitive nature of the information.

The Committee additionally received an overview of the Capitol Complex Security Enhancement Project from the Secretary of Administration. She stated that the project includes new video surveillance and access control systems for the Capitol Complex. DOA had received five responses to the RFP. The Secretary stated the estimated completion date for the project is summer 2023.

At the September 26, 2022, meeting, various agencies made presentations on their planned, approved, and ongoing IT projects. The projects presented during the meeting included:

- Kansas Highway Patrol, In-car Camera Upgrade – Replacing 438 obsolete in-car cameras from October 2022 through May 2023;

- Kansas Public Employees Retirement Systems, Pension Administration Systems Modernization – Updating and enhancing the 2005 IT systems used to administer public employee pensions;

- KDADS, State Hospital Substance Use Disorder Employee Health Record Implementation – Digitizing and standardizing the health record systems at all four state hospitals; and

- Department of Revenue, Kansas Assessment Data Network – Adding on to the existing property valuation software to allow for additional analysis and reporting efficiencies of property valuation data received from county assessors.

At the November 16, 2022, meeting, various agencies made presentations on their IT projects. The projects presented to the Committee during the meeting included:

- DOA, State Employee Health Benefits Plan – Establishing a data warehouse dedicated to de-identified data regarding the State Employee Health Plan and workers' compensation;

- University of Kansas, Disaster Recovery Project – Establishing a "warm" site to ensure business continuity of the university in the event of a disaster scenario;

- Department of Transportation, Kansas Crash Data System Replacement – Implementing a new system to collect crash data with improved timeliness, improved accuracy, and reduced costs;

- Department of Transportation, Scout Optical Networking Services Backbone Replacement – Updating old hardware and other technical equipment in the Kansas City metro area;

- State Department of Education, Kansas Education Data System – Replacing the Kansas Individual Data on Students Collection System with a new system for the collection of student longitudinal data from unified school districts;

- DCF, Technical Application Project for SNAP Success – Improving communication and reducing costs around ongoing Food Assistance Work Program requirements;

- KDADS, Electronic Health Records – Replacing 15 legacy systems and manual processes with 1 new system at the 4 state hospitals;

- Kansas Department of Health and Environment, Electronic Visit Verification System – Implementing a system to verify home health services arrived and provided services being billed for; and

- Kansas Department of Health and Environment, Medicaid Eligibility Quality Control Tool – Replacing a variety of separate tools used in Medicaid audits with a single web-based tool.

During the November 16, 2022, meeting, a Lieutenant Colonel with the 184th Wing Cyber Intelligence unit with the Kansas Air National Guard provided an overview of what the 184th Wing Cyber Intelligence unit does and the factors that impact its ability to engage with and assist state and local units of government.

CONCLUSIONS AND RECOMMENDATIONS

At its November 16, 2022, meeting, Committee members discussed their conclusions and recommendations for the 2023 Legislature and agreed to the following:

- Legislation with contents similar to 2022 HB 2548 should be introduced and assigned to the appropriate committee during the 2023 Session;

  - The Committee noted the value of proviso language contained in 2022 HB 2510, pertaining to the

Committee's ability to advise and consult on IT projects prior to the issuance of a request for proposal for an IT project;

- Legislation that would clarify an appointment of a legislative member to the Information Technology Executive Council, the duration of such individuals appointment terms, the number of members that constitutes a quorum, and requires a majority of the membership to vote in the affirmative in order for the Council to take actions should be introduced and assigned to the appropriate committee during the 2023 Session;

- The Legislature should consider the introduction of legislation establishing a committee to evaluate state and local cybersecurity posture and IT funding, training, and retention, with diverse stakeholders to include, but not be limited to, legislative leaders, agency leadership and representatives of local units of government, businesses, and federal organizations;

  - The Committee noted the structure of the established committee should be similar to the Unemployment Compensation Modernization and Improvement Council, created by 2021 Senate Sub. for Sub. for HB 2196;

- The Legislature should explore how to more easily enable collaboration and coordination between the State and the Air National Guard in order to respond or prepare to cyberattacks and threats; and

- The State Department of Education should further emphasize the importance of IT security and work to provide more IT security assistance to school districts.