

2019 Kansas Statutes

75-3085. Same; successor of secretary and appointed designees. (a) The department for children and families or designees appointed by the secretary shall be the successor in every way to the powers, duties, and functions of any state agency department, board, commission or council, providing services and creating systems in order to comply with the provisions of any laws or regulations affecting the department of health and environment, division of public health, bureau of family health, child placing and residential programs. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the department for children and families shall be deemed to have the same force and effect as if performed by any state agency, department, board, commission or council in which such powers, duties and functions were vested prior to the [effective] date of K.S.A. 75-3084 through 75-3089, and amendments thereto.

(b) The department of health and environment or designees appointed by the secretary shall be the successor in every way to the powers, duties, and functions of any state agency department, board, commission or council, providing services and creating systems in order to comply with the provisions of any laws or regulations affecting the department for children and families, eligibility and employment services section which pertains to determining eligibility for medicaid services. Every act performed in the exercise of such transferred powers, duties, and functions by or under the authority of the department of health and environment shall be deemed to have the same force and effect as if performed by any state agency, department, board, commission or council in which such powers, duties and functions were vested prior to the [effective] date of K.S.A. 75-3084 through 75-3089, and amendments thereto.

(c) Wherever the department of health and environment, pertaining to the duties or functions of the child placing agency and residential programs section division of public health, bureau of family health, or words of like effect is referred to or designated by statute, contract, memorandum, agreement or other document and such reference is in regard to any of the powers, duties or functions transferred to the department for children and families, such reference or designation shall be deemed to apply to the department for children and families.

(d) Wherever the department for children and families, economic and employment services section that determines eligibility for services under title XIX of the social security act (medicaid) and state funded medical services, or words of like effect are referred to or designated by statute, contract, memorandum, agreement or other document and such reference is in regard to any of the powers, duties or functions transferred to the department of health and environment, such reference or designation shall be deemed to apply to the department of health and environment.

(e) All rules and regulations, orders and directives of the Kansas department of health and environment which relate to the functions transferred by K.S.A. 75-3084 through 75-3089, and amendments thereto, and which are in effect on the effective date of K.S.A. 75-3084 through 75-3089, and amendments thereto, shall continue to be effective and shall be deemed to be rules and regulations, orders and directives of the secretary of the department for children and families respective to the duties that the

secretary for children and families is assuming by K.S.A. 75-3084 through 75-3089, and amendments thereto.

(f) All rules and regulations, orders and directives of the Kansas department for children and families which relate to the functions transferred by K.S.A. 75-3084 through 75-3089, and amendments thereto, and which are in effect on the effective date of K.S.A. 75-3084 through 75-3089, and amendments thereto, shall continue to be effective and shall be deemed to be rules and regulations, orders and directives of the secretary of the department of health and environment respective to the duties that the secretary of health and environment is assuming by K.S.A. 75-3084 through 75-3089, and amendments thereto.

History: Executive Reorganization Order No. 43, § 2; L. 2015, ch. 114, § 2; July 1.