

ATTORNEY GENERAL

	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Operating Expenditures:					
State General Fund	\$ 6,274,415	\$ 7,149,316	\$ 6,849,316	\$ 6,552,961	\$ 5,852,665
Other Funds	20,842,756	19,720,191	19,855,043	19,792,394	20,370,490
<i>Subtotal</i>	<i>\$ 27,117,171</i>	<i>\$ 26,869,507</i>	<i>\$ 26,704,359</i>	<i>\$ 26,345,355</i>	<i>\$ 26,223,155</i>
Capital Improvements:					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
Other Funds	0	0	0	0	0
<i>Subtotal</i>	<i>\$ 0</i>	<i>\$ 0</i>	<i>\$ 0</i>	<i>\$ 0</i>	<i>\$ 0</i>
TOTAL	<u>\$ 27,117,171</u>	<u>\$ 26,869,507</u>	<u>\$ 26,704,359</u>	<u>\$ 26,345,355</u>	<u>\$ 26,223,155</u>
Percentage Change:					
Operating Expenditures					
State General Fund	(6.9) %	13.9 %	9.2 %	(8.3) %	(14.6) %
All Funds	6.1	(0.9)	(1.5)	(2.0)	(1.8)
FTE Positions	173.1	173.3	173.3	173.3	173.3

For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.

AGENCY OVERVIEW

The Attorney General is a constitutional statewide elected official who is the chief legal officer of and advocate for the State and serves as its chief law enforcement officer. The Office is organized into 11 programs: Administration Division, Solicitor Division, Fraud and Abuse Litigation Division, Criminal Litigation Division, Legal Opinions and Government Counsel Division, Consumer Protection Division, Civil Litigation Division, Crime Victims Compensation Division, Victim Services Division, Medicaid Fraud and Abuse Division, and Office of the Medicaid Inspector General. All are detailed in this budget analysis.

MAJOR ISSUES FROM PRIOR YEARS

The **2013 Legislature** deleted \$289,984, all from the State General Fund (SGF), for fiscal year (FY) 2014 and \$290,091 SGF for FY 2015 to eliminate funding for the Internet Training Education for Kansas Kids program. The program provided grants for Internet safety presentations through the Kansas Alliance of Boys and Girls Clubs.

The **2013 Legislature** added \$636,000 SGF and 2.0 FTE positions in FY 2014 to allow the agency to implement provisions of 2013 Senate Sub. for HB 2034 concerning human trafficking. The approved budget also included \$266,000, all from special revenue funds, and

2.0 FTE positions for FY 2014 to allow the agency to implement provisions of the Roofing Contractor Registration Act. The Legislature also added funding, all from the County Law Enforcement Equipment Fund, in FY 2014 (\$191,140) and FY 2015 (\$30,100) to allow the agency to distribute grant funding to local law enforcement agencies.

The **2014 Legislature** added \$555,960, all from the Court Cost Fund, in FY 2014 to offset salaries and wages expenditure reductions directed by the 2013 Legislature. The Legislature also added \$559,286 from the Concealed Weapon Licensure Fund for background checks due to increased concealed weapon permit applications in FY 2014.

The **2014 Legislature** added \$174,393, including \$94,393 SGF, and 2.0 FTE positions in FY 2015. This funded two additional attorney positions to implement the provisions of 2014 SB 256, which allowed the Attorney General to handle criminal appeals for the counties, and 2014 SB 310, which allowed grand juries to be empaneled by citizen petition.

The **2014 Legislature** transferred \$5.0 million from the Court Cost Fund to the SGF for FY 2015.

The **2015 Legislature** authorized the transfer of \$1.0 million from the unencumbered balance of the Medicaid Fraud Prosecution Revolving Fund to the SGF in FY 2015, FY 2016, and FY 2017. Additional authorized transfers from this fund included \$150,343 to the Domestic Violence Grant Fund in the Office of the Governor for FY 2016 and FY 2017 and \$33,348 to the Child Advocacy Center Grant Fund in the Office of the Governor for FY 2016 and FY 2017.

The **2015 Legislature** appropriated the Attorney General's Open Government Fund with a no limit expenditure authority in FY 2016 and FY 2017. HB 2256 (2015) created the Fund to allow the Office of the Attorney General to collect all civil penalties, expenses, costs, and attorney fees awarded in an action brought by the Attorney General regarding the Kansas Open Records and Meetings Acts. Expenditures from the Fund will be used to enforce the Kansas Open Records and Meetings Acts.

The **2015 Legislature** passed HB 2048, which established the Scrap Metal Theft Reduction Act. The agency now administers a database tracking scrap metal sales. Additionally, the agency collects fees, charges, and penalties charged under the Act and uses these to administer the provisions of the law.

The **2015 Legislature** added proviso language to 2015 House Sub. for SB 112 to deposit the first \$2.0 million received from Nebraska under the case of *Kansas v. Nebraska, No. 126, Original* in the Supreme Court into the Interstate Water Litigation Fund, and to deposit the remaining amount into the Republican River Water Conservation Projects—Nebraska Moneys Fund of the Kansas Water Office, in FY 2015. Clarifying language was included in the proviso requiring the Director of Accounts to transfer any funds above \$2.0 million that have already been deposited in the Interstate Water Litigation Fund to the Republican River Water Conservation Projects—Nebraska Moneys Fund of the Kansas Water Office. This proviso language also included any funds deposited in FY 2016 and FY 2017.

The **2016 Legislature** appropriated the Scrap Metal Theft Reduction Fund with no limit expenditure authority in FY 2016 and FY 2017. The 2015 Legislature had passed HB 2048, creating the Scrap Metal Theft Reduction Act, which the Attorney General administers.

The **2016 Legislature** passed Senate Sub. for HB 2056 requiring the Office of the Attorney General to license and regulate bail enforcement agents. Additionally, the agency will collect fees, charges, and penalties charged under the law and use these to administer its provisions.

The **2017 Legislature** passed SB 23, which consolidates criminal prosecutions for fraud and abuse under the jurisdiction of the Attorney General. To implement provisions of this law, \$400,000, all from special revenue funds, and 4.0 FTE positions were transferred from the Office of the Securities Commissioner and the Kansas Insurance Department to the Office of the Attorney General for FY 2018.

The **2017 Legislature** added \$476,110 for FY 2018 and \$464,280 for FY 2019, all from the SGF, to transfer the Office of the Medicaid Inspector General from the Kansas Department of Health and Environment to the Office of the Attorney General.

The **2017 Legislature** passed SB 149, which authorizes the Attorney General to collect legal representation fees from state agencies and creates the State Agency Representation Fund.

The **2018 Legislature** reduced the concealed carry license fee from \$132.50 to \$112.00 for FY 2019.

The **2018 Legislature** discontinued the yearly transfers from the Medicaid Fraud Prosecution Revolving Fund to the SGF (\$1.2 million), the Domestic Violence Grants Fund (\$150,343), and the Child Advocacy Centers Grant Fund (\$33,348). The Legislature also transferred \$600,000, all from the SGF, to the Medicaid Fraud Prosecution Revolving Fund for FY 2019 to meet the 25.0 percent match for federal grants.

The **2019 Legislature** passed HB 2290, which created a Crime Victims Compensation Division to administer and support the operations of the Crime Victims Compensation Board; a Kansas Youth Suicide Prevention Coordinator to identify, create, and coordinate and support youth suicide awareness and prevention efforts throughout the state; and a Kansas Victim and Notification Everyday (VINE) Coordinator to work with interested parties to oversee the statewide implementation of the VINE system.

BUDGET SUMMARY AND KEY POINTS

FY 2021 – Current Year. The **agency** requests a revised estimate of \$26.9 million, including \$7.1 million from the State General Fund (SGF), in FY 2021. This is an all funds increase of \$264,816, or 1.0 percent, , and an SGF increase of \$249,818, or 3.6 percent, above the FY 2021 approved amount. The SGF increase is attributable to the agency's supplemental request for the Victim Services Division to develop a mobile phone application to communicate with youth for the purpose of preventing youth suicide. . **Absent the supplemental request**, the agency requests a revised estimate of \$26.6, including \$7.0 million SGF, in FY 2021. This is an all funds increase of \$14,988, or 0.1 percent, and an SGF decrease of \$182, or less than 0.1 percent, from the FY 2021 approved amount.

The revised estimate includes 173.3 FTE positions, which is a an increase of 0.2 FTE positions above the FY 2021 approved number. This increase is attributable to off-budget FTE positions for state agency representation in the Legal Opinions and Governmental Counsel division.

The **Governor** recommends expenditures of \$26.7 million, including \$6.8 million SGF, in FY 2021. This is an all funds decrease of \$165,148, or 0.6 percent, and an SGF decrease of \$300,000, or 4.2 percent, below the agency's revised estimate. The decrease is attributable to reducing the use of SGF moneys and increasing the use of agency fee funds. The Governor does not recommend the agency's Victim Services supplemental request. This accounted for a

total of \$250,000, all SGF. This request would have provided funding for the Victim Services Division to develop a mobile phone application to communicate with youth for the purpose of preventing youth suicide.

The Governor concurs with the agency's request for 173.3 FTE positions.

FY 2022 – Budget Year. The **agency** requests \$26.3 million, including \$6.6 million from the SGF, for FY 2022. This is an all funds decrease of \$524,152, or 2.0 percent, below the FY 2021 revised estimate, and an SGF decrease of \$596,355, or 8.3 percent, below the FY 2021 revised estimate. The primary reason for the decrease is the reappropriation of funding from FY 2020 into FY 2021 that does not reoccur in FY 2022. The agency requests \$50,000 SGF for FY 2022 enhancement requests. The agency requests this enhancement for computer maintenance service costs related to the youth suicide prevention website and phone application within the Victim Services division. **Absent the enhancement request**, the agency requests a revised estimate of \$26.3 million, including \$6.5 million SGF. This is an all funds decrease of \$646,355, and an SGF decrease of \$574,152, from the FY 2021 revised estimate

The request includes 173.3 FTE positions, which is unchanged from the FY 2021 revised estimate.

The **Governor** recommends expenditures of \$26.2 million, including \$5.9 million SGF, for FY 2022. This is an all funds decrease of \$122,200, or 0.5 percent, and an SGF decrease of \$700,296, or 10.7 percent, below the agency's request. This decrease is primarily attributable to the acceptance of the agency's reduced resources budget, which includes a decrease of \$650,296, all SGF with most of the reduction replaced with agency fee funds. Additionally, the Governor does not recommend the agency's Victim Services enhancement request. This accounts for \$50,000 SGF. This request would have provided funding for maintenance costs related to the youth suicide prevention website and phone application within the Victim Services Division.

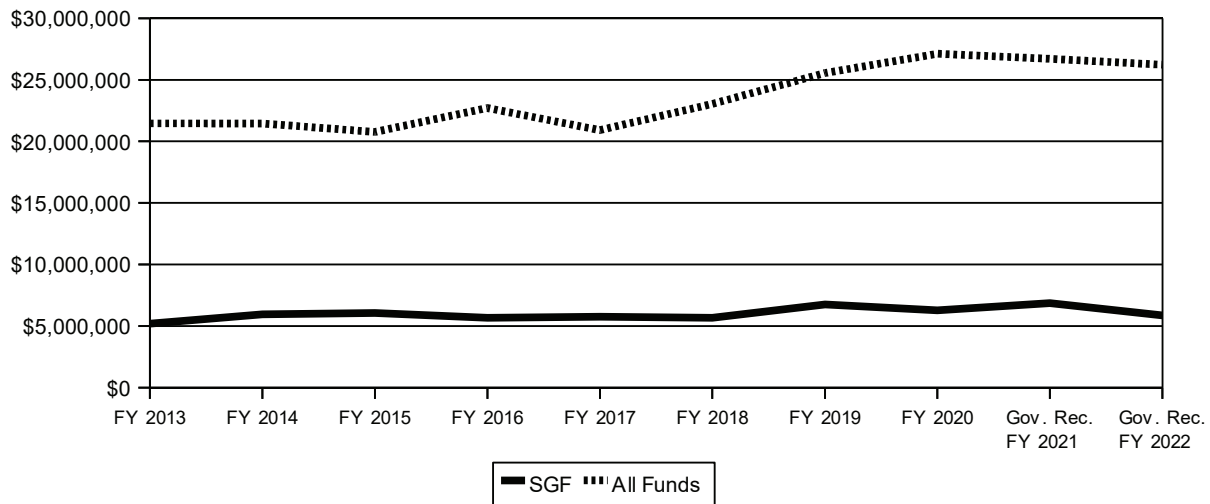
PERFORMANCE MEASURES

The 2016 Legislature passed HB 2739, which outlined a three-year process for state agencies to develop and implement a system of performance budgeting using outcome measures to evaluate program effectiveness. Measures to evaluate agency-wide performance are presented below. Additional measures to evaluate specific programs appear in the relevant program sections.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Number of Criminal Cases Accepted from County and District Attorney Offices	36	44	35	22	30	30
Number of Medicaid Provider Fraud Open Criminal Investigations Being Handled	135	137	145	152	170	180
Number of Case Files Handled (Civil Litigation)	1,966	1,956	1,900	2,506	2,300	2,300
Agency Expenditures						
All Funds (Dollars in Millions)	\$ 23.0	\$ 25.6	\$ 27.5	\$ 27.1	\$ 26.7	\$ 26.2
FTE Positions	151.6	162.2	163.6	173.1	173.3	173.3

BUDGET TRENDS

OPERATING EXPENDITURES FY 2013 – FY 2022



OPERATING EXPENDITURES FY 2013 – FY 2022

Fiscal Year	SGF	% Change	All Funds	% Change	FTE
2013	\$ 5,195,188	221.8 %	\$ 21,462,873	(2.7)%	128.5
2014	5,953,398	14.6	21,453,777	(0.0)	133.0
2015	6,053,857	1.7	20,764,980	(3.2)	135.0
2016	5,660,352	(6.5)	22,707,377	9.4	127.6
2017	5,758,048	1.7	20,912,306	(7.9)	117.1
2018	5,670,014	(1.5)	23,047,378	10.2	151.6
2019	6,738,911	18.9	25,552,843	10.9	162.2
2020	6,274,415	(6.9)	27,117,171	6.1	173.1
2021 Gov. Rec.	6,849,316	9.2	26,704,359	(1.5)	173.3
2022 Gov. Rec.	5,852,665	(14.6)	26,223,155	(1.8)	173.3
Ten-Year Change Dollars/Percent	\$ 657,477	12.7 %	\$ 4,760,282	22.2 %	44.8

Summary of Operating Budget FY 2020 - FY 2022

	Actual FY 2020	Agency Estimate				Governor's Recommendation			
		Estimate FY 2021	Request FY 2022	Dollar Change from FY 21	Percent Change from FY 21	Rec. FY 2021	Rec. FY 2022	Dollar Change from FY 21	Percent Change from FY 21
By Program:									
Administration	\$ 1,578,613	\$ 1,713,741	\$ 1,730,931	\$ 17,190	1.0 %	\$ 1,798,593	\$ 1,730,931	\$ (67,662)	(3.8)%
Solicitor Division	1,248,669	1,576,445	1,587,457	11,012	0.7	1,576,445	1,587,457	11,012	0.7
Fraud and Abuse Litigation Division	1,170,986	1,222,471	1,231,990	9,519	0.8	1,222,471	1,231,990	9,519	0.8
Criminal Litigation	3,351,490	3,320,073	3,258,306	(61,767)	(1.9)	3,320,073	3,258,306	(61,767)	(1.9)
Legal Opinions and Government Counsel	1,089,842	676,340	682,956	6,616	1.0	676,340	682,956	0	0.0
Consumer Protection	2,784,817	2,724,210	2,729,489	5,279	0.2	2,724,210	2,729,489	0	0.0
Civil Litigation	7,139,202	5,081,422	5,121,642	40,220	0.8	5,081,422	5,121,642	0	0.0
Crime Victims Compensation	2,975,460	3,551,181	3,555,450	4,269	0.1	3,551,181	3,555,450	4,269	0.1
Victim Services, Grants	3,664,055	3,901,059	3,709,352	(191,707)	(4.9)	3,651,059	3,587,152	(63,907)	(1.8)
Medicaid Fraud and Abuse Unit	1,808,991	2,343,032	2,273,500	(69,532)	(3.0)	2,343,032	2,273,500	0	0.0
Office of the Medicaid Inspector General	305,046	759,533	464,282	(295,251)	(38.9)	759,533	464,282	(295,251)	(38.9)
TOTAL	\$ 27,117,171	\$ 26,869,507	\$ 26,345,355	\$ (524,152)	(2.0)%	\$ 26,704,359	\$ 26,223,155	\$ (481,204)	(1.8)%
By Major Object of Expenditure:									
Salaries and Wages	\$ 13,740,117	\$ 14,123,005	\$ 14,697,304	\$ 574,299	4.1 %	\$ 14,123,005	\$ 14,697,304	\$ 574,299	4.1 %
Contractual Services	5,088,773	5,273,220	4,694,213	(579,007)	(11.0)	5,295,026	4,644,213	(650,813)	(12.3)
Commodities	97,499	121,874	127,574	5,700	4.7	122,774	127,574	4,800	3.9
Capital Outlay	560,594	862,183	337,039	(525,144)	(60.9)	674,329	337,039	(337,290)	(50.0)
Debt Service	0	0	0	0	--	0	0	0	--
<i>Subtotal - Operations</i>	\$ 19,486,983	\$ 20,380,282	\$ 19,856,130	\$ (524,152)	(2.6)%	\$ 20,215,134	\$ 19,806,130	\$ (409,004)	(2.0)%
Aid to Local Units	95,918	75,000	75,000	0	0.0	75,000	75,000	0	0.0
Other Assistance	7,534,270	6,414,225	6,414,225	0	0.0	6,414,225	6,342,025	(72,200)	(1.1)
TOTAL	\$ 27,117,171	\$ 26,869,507	\$ 26,345,355	\$ (524,152)	(2.0)%	\$ 26,704,359	\$ 26,223,155	\$ (481,204)	(1.8)%
Financing:									
State General Fund	\$ 6,274,415	\$ 7,149,316	\$ 6,552,961	\$ (596,355)	(8.3)%	\$ 6,849,316	\$ 5,852,665	\$ (996,651)	(14.6)%
All Other Funds	20,842,756	19,720,191	19,792,394	72,203	0.4	19,855,043	20,370,490	515,447	2.6
TOTAL	\$ 27,117,171	\$ 26,869,507	\$ 26,345,355	\$ (524,152)	(2.0)%	\$ 26,704,359	\$ 26,223,155	\$ (481,204)	(1.8)%

BUDGET OVERVIEW

A. FY 2021 – Current Year

Adjustments to Approved State General Fund Budget

The 2020 Legislature approved an SGF budget of \$6,494,583 for the Office of the Attorney General in FY 2021. Three adjustments have been made subsequently to that amount. These adjustments change the current year approved amount without any legislative action required. For this agency, the following adjustments have been made:

- An increase of \$444,097, based on the reappropriation of FY 2020 funding that was not spent in FY 2020 and has shifted to FY 2021;
- A decrease of \$39,364 as the result of the Governor's July 2020 SGF allotment; and
- An increase of \$182, based on the reimbursement of SGF expenditures in FY 2020 for COVID-19 related expenditures and reimbursements from the Coronavirus Relief Fund as approved by the State Finance Council on June 16, 2020, resulting in reappropriation of funding that was not spent in FY 2020 and has shifted into FY 2021.

These adjustments change the FY 2021 approved SGF amount to \$6,899,498. That amount is reflected in the table below as the currently approved FY 2021 SGF amount.

	CHANGE FROM APPROVED BUDGET				
	Legislative Approved FY 2021	Agency Estimate FY 2021	Agency Change from Approved	Governor Rec. FY 2021	Governor Change from Approved
State General Fund	\$ 6,899,498	\$ 7,149,316	\$ 249,818	\$ 6,849,316	\$ (50,182)
All Other Funds	19,705,193	19,720,191	14,998	19,855,043	149,850
TOTAL	\$ 26,604,691	\$ 26,869,507	\$ 264,816	\$ 26,704,359	\$ 99,668
FTE Positions	173.1	173.3	0.2	173.3	0.2

The **agency** requests a revised estimate of \$26.9 million, including \$7.1 million SGF, in FY 2021. This is an all funds increase of \$264,816, or 1.0 percent, and an SGF increase of \$249,818, or 3.6 percent, above the FY 2021 approved amount. The SGF increase is attributable to the agency's supplemental request for the Victim Services Division to develop a mobile phone application to communicate with youth for the purpose of preventing youth suicide. **Absent the supplemental request**, the agency requests a revised estimate of \$26.6 million, including \$7.0 million SGF, in FY 2021. This is an all funds increase of \$14,998, or 0.1 percent, and an SGF decrease of \$182, or less than 0.1 percent, from the FY 2021 approved amount.

The revised estimate includes 173.3 FTE positions, which is a an increase of 0.2 FTE positions above the FY 2021 approved number. This increase is attributable to off-budget FTE positions for state agency representation in the Legal Opinions and Governmental Counsel division.

Changes to the approved budget are detailed below:

- **Salaries and Wages.** The agency requests \$14.1 million, including \$5.1 million SGF, for salaries and wages in FY 2021. This is an all funds decrease of \$339,067, or 2.3 percent, and an SGF decrease of \$512,701, or 9.2 percent, below the FY 2021 approved budget. The all funds decreases are primarily attributable to unfilled positions primarily within the civil and criminal litigation programs;
- **Contractual Services.** The agency requests \$5.3 million, including \$755,572 SGF, for contractual services in FY 2021. This is an all funds increase of \$729,902, or 16.1 percent, and an SGF increase of \$437,455, or 137.5 percent, above the FY 2021 approved budget. The SGF increase is primarily attributable to office improvement expenditures for the Office of the Medicaid Inspector General and Medicaid Fraud and Abuse Division. This increase is also attributable to increased litigation costs for the Medicaid Fraud and Abuse and Criminal Litigation Divisions;
- **Commodities.** The agency requests \$121,874, including \$46,419 SGF, for commodities in FY 2021. This is an all funds decrease of \$1,962, or 1.6 percent, and an SGF increase of \$22,914, or 97.5 percent, from the FY 2021 approved budget. The SGF increase is primarily for office supplies;
- **Capital Outlay.** The agency requests \$862,183, including \$385,950 SGF, for capital outlay in FY 2021. This is an all funds increase of \$525,943, or 156.4 percent, and an SGF increase of \$361,200, or 1,459.4 percent, above the FY 2021 approved amount. The all funds increase is primarily attributable to software and computer equipment purchases. The SGF increase is primarily attributable to the agency's supplemental request of \$250,000 for the Victim Services Division;
- **Aid to Local Units of Government.** The agency requests \$75,000, all from special revenue funds, for aid to local units of government in FY 2021. This is the same as the approved amount. The agency has budgeted \$50,000 from the Sexually Violent Predator Expense Fund to reimburse district and county attorneys for costs associated with efforts in prosecuting potentially sexually violent predators and \$25,000, all from the federal forfeiture fund, for D.A.R.E. trainer stipends required for certifying D.A.R.E. officers; and
- **Other Assistance.** The agency requests \$6.4 million, including \$899,150 SGF, for other assistance in FY 2021. This is an all funds decrease of \$650,000, or 9.2 percent, and an SGF decrease of \$59,050, or 6.2 percent, below the FY 2021 approved amount. The decrease is primarily attributable to expenditures from the Crime Victim Compensation Fund and Crime Victim Assistance Fund.

The **Governor** recommends expenditures of \$26.7 million, including \$6.8 million SGF, in FY 2021. This is an all funds decrease of \$165,148, or 0.6 percent, and an SGF decrease of \$300,000, or 4.2 percent, below the agency's revised estimate. The decrease is attributable to reducing the use of SGF moneys and increasing the use of agency fee funds. Additionally, the Governor does not recommend the agency's Victim Services supplemental request. This accounted for a total of \$250,000, all SGF. This request would have provided funding for the Victim Services Division to develop a mobile phone application to communicate with youth for the purpose of preventing youth suicide.

The Governor concurs with the agency's request for 173.3 FTE positions.

Supplemental Detail

FY 2021 SUPPLEMENTALS						
Supplementals	Agency Estimate			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Victim Services	\$ 250,000	\$ 250,000	0.0	\$ 0	\$ 0	0.0

The **agency** requests \$250,000, all SGF, for FY 2021 supplemental requests. The agency request is for The Victim Services Division to create a mobile phone application to facilitate communication with youth for the purpose of preventing youth suicide and promoting youth safety and well-being.

The **Governor** does not recommend the agency's Victim Services supplemental request in FY 2021.

Governor's Allotments

On June 29, 2020, the Governor announced SGF allotments or reductions for FY 2021 of \$374.5 million. Included in the Governor's allotted budget were \$146.7 million in human services caseload adjustments, \$79.3 million to delay the FY 2021 State Foundation Aid payment for K-12 Education, \$46.7 million in reductions due to a suspension of Kansas Public Employees Retirement System (KPERs) Death and Disability contributions, and \$101.8 million in other adjustments.

Allotments included in this document reduce the FY 2021 approved budget without any required Legislative approval and are included in the approved amounts in the table above. As it relates to this agency, the allotment adjustments totaled \$39,364. The allotments applied to this agency are detailed below:

GOVERNOR'S ALLOTMENTS			
Allotment	SGF	All Funds	FTE
July 2020			
Operating Expenditures	\$ (34,109)	\$ (34,109)	0.0
Office of the Medicaid Inspector General	(2,939)	(2,939)	0.0
Abuse, Neglect, and Exploitation Unit	(2,316)	(2,316)	0.0
TOTAL	\$ (39,364)	\$ (39,364)	0.0

B. FY 2022 – Budget Year

FY 2022 OPERATING BUDGET SUMMARY			
	Agency Request	Governor's Recommendation	Difference
Total Request/Recommendation	\$ 26,345,355	\$ 26,223,155	\$ (122,200)
FTE Positions	173.3	173.3	0.0
Change from FY 2021:			
<i>Dollar Change:</i>			
State General Fund	\$ (596,355)	\$ (996,651)	
All Other Funds	72,203	515,447	
TOTAL	\$ (524,152)	\$ (481,204)	
<i>Percent Change:</i>			
State General Fund	(8.3) %	(14.6) %	
All Other Funds	0.4	2.6	
TOTAL	(2.0) %	(1.8) %	
Change in FTE Positions	0.0	0.0	

The **agency** requests \$26.3 million, including \$6.5 million SGF, for FY 2022. This is an all funds decrease of \$524,152, or 2.0 percent, and an SGF decrease of \$596,355, or 8.3 percent, below the FY 2021 revised estimate. The primary reason for the decrease is the reappropriation of funding from FY 2020 into FY 2021 that does not reoccur in FY 2022. The agency requests \$50,000 SGF for FY 2022 enhancement requests. The agency requests this enhancement for computer maintenance service costs related to the youth suicide prevention website and phone application within the Victim Services division. **Absent the enhancement request**, the agency requests a revised estimate of \$26.3 million, including \$6.5 million SGF. This is an all funds decrease of \$574,152, and an SGF decrease of \$646,355, below the FY 2021 revised estimate.

The request includes 173.3 FTE positions, which is unchanged from the FY 2021 revised estimate.

Major categories of expenditures of the FY 2022 request are detailed below:

- **Salaries and Wages.** The agency requests \$14.7 million, including \$5.1 million SGF, for salaries and wages for FY 2022. This is an all funds increase of \$574,299, or 4.1 percent, and an SGF increase of \$67,713, or 1.3 percent, above the FY 2021 revised estimate. The all funds increase is primarily for salaries and wages and increases in employer contributions to employee benefits;
- **Contractual Services.** The agency requests \$4.7 million, including \$447,501 SGF, for contractual services for FY 2022. This is an all funds decrease of \$579,007, or 11.0 percent, and an SGF decrease of \$308,071, or 40.8 percent, below the FY 2021 revised estimate. The all funds and SGF decreases are primarily attributable to office improvement expenditures for the Office of the Medicaid Inspector General and Medicaid Fraud and Abuse Division that occurred in FY 2021;
- **Commodities.** The agency requests \$127,574, including \$40,240 SGF, for commodities in FY 2022. This is an all funds increase of \$5,700, or 4.7 percent, and an SGF decrease of \$6,179, or 13.3 percent, from the FY 2021 revised estimate. The all funds increases are primarily due to professional and office supplies as well as gasoline purchases for vehicles;
- **Capital Outlay.** The agency requests \$337,039, including \$36,132 SGF, for capital outlay in FY 2022. This is an all funds decrease of \$525,144, or 60.9 percent, and an SGF decrease of \$349,818, or 90.6 percent, below the FY 2021 revised estimate. The all funds decrease is attributable to expenditures for office furniture and computer equipment in the Medicaid Fraud and Abuse Unit, and the SGF decrease is due to office equipment and furniture purchases for the Office of the Medicaid Inspector General that occurred in FY 2021;
- **Aid to Local Units of Government.** The agency requests \$75,000, all from special revenue funds, for aid to local units of government for FY 2022. This is the same amount as the FY 2021 revised estimate. The agency budgeted \$50,000 from the Sexually Violent Predator Expense Fund to reimburse district and county attorneys for costs associated with efforts in prosecuting potentially sexually violent predators and \$25,000, all from the federal forfeiture fund, for D.A.R.E. trainer stipends required for certifying D.A.R.E. officers; and
- **Other assistance.** The agency requests \$6.4 million, including \$899,150 SGF, for other assistance for FY 2022. This is the same amount as the FY 2021 revised estimate.

The **Governor** recommends expenditures of \$26.2 million, including \$5.9 million SGF, for FY 2022. This is an all funds decrease of \$122,200, or 0.5 percent, and an SGF decrease of \$700,296, or 10.7 percent, below the agency's request. This decrease is primarily attributable to the acceptance of the agency's reduced resources budget, which includes a decrease of \$650,296, all SGF with most of the reduction replaced with agency fee funds. Additionally, the Governor does not recommend the agency's Victim Services enhancement request. This accounts for \$50,000 SGF. This request would have provided funding for maintenance costs related to the youth suicide prevention website and phone application within the Victim Services Division.

Enhancement Detail

FY 2022 ENHANCEMENTS						
Enhancements	Agency Estimate			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Victim Services	\$ 50,000	\$ 50,000	0.0	\$ 0	\$ 0	0.0

The **agency** requests \$50,000, all SGF, for computer software maintenance costs related to the youth suicide prevention website and phone application within the Victim Service Division for FY 2022.

The **Governor** does not recommend the agency's enhancement request for FY 2022.

FY 2022 Reduced Resources

The Governor has requested that specified agencies with State General Fund moneys provide a reduced resources budget submission of 10.0 percent for FY 2022. The information below provides details of the agency's reduced resources budget submission for the State General Fund.

FY 2022 REDUCED RESOURCES						
Item	Agency Recommendation			Governor's Recommendation		
	SGF	All Funds	FTE	SGF	All Funds	FTE
Criminal Litigation Division	\$ (181,724)	\$ 0	0.0	\$ (181,724)	\$ 0	0.0
Consumer Protection Division	(148,285)	0	0.0	(148,285)	0	0.0
Civil Litigation Division	(53,345)	0	0.0	(53,345)	0	0.0
Victim Services	(266,942)	(72,200)	0.0	(266,942)	(72,200)	0.0
TOTAL	\$ (650,296)	\$ (72,200)	0.0	\$ (650,296)	\$ (72,200)	0.0

The **agency** submits four reduced resources totaling \$650,296 SGF to be partially replaced with \$578,096 from special revenue funds in FY 2022. Adopting the reductions would result in an all funds decrease of \$72,200 for FY 2022.

Criminal Litigation Division. The agency submits \$181,724 for reduction in the criminal litigation division. Reductions would be made by replacing SGF moneys with special revenue funds.

Consumer Protection. The agency submits \$148,285 for reduction in the consumer protection division. These reductions would be made by replacing SGF moneys with special revenue funds.

Civil Litigation Division. The agency submits \$53,345 for reduction in the civil litigation division. These reductions would be made by replacing SGF moneys with special revenue funds.

Victim Services Division. The agency submits \$266,942 for reduction in the victim services division, \$194,742 would be replaced with special revenue funds. The agency would make the remaining reduction of \$72,200 through reduced expenditures from the Victim Services Division.

The **Governor** concurs with the agency's reduced resources budget for FY 2022.

Governor's Recommended Salary and Wage Adjustments

For FY 2022, the Governor recommends adding \$31.5 million, including \$11.3 million SGF, for a 2.5 percent state employee base pay adjustment. The plan would increase salaries for classified and unclassified employees in the Executive Branch, Legislative Branch, and Judicial Branch. Legislative and elected officials would be excluded from this salary adjustment. The funds would be appropriated to and certified for distribution by the State Finance Council if approved. Employees of state universities are also not included in the proposed pay plan; however, the Governor recommends adding \$10.4 million, all SGF, to the university operating grants. This amount is equivalent to what the pay plan would have provided for university employees, but the funds are included in the Kansas Board of Regents budget for use at their discretion.

Longevity Bonus Payments. In FY 2021 and for FY 2022, the Governor recommends funding longevity bonus payments for eligible state employees at the statutory rate of \$40 per year of service, with a 10-year minimum (\$400) and a 25-year maximum (\$1,000). Classified employees hired after June 15, 2008, are not eligible for longevity bonus payments. The estimated cost for the recommended FY 2021 payment is \$3.0 million, including \$1.1 million SGF. For FY 2022, the estimated cost is \$3.1 million, including \$1.1 million SGF. **No longevity bonus payments are currently included in this agency's budget.**

Kansas Public Employees Retirement System (KPERs). The employer retirement contribution rate, including Death and Disability contributions, for the KPERs State and School Group is scheduled to be 14.23 percent in FY 2021 and 15.09 percent for FY 2022. The FY 2021 rate excludes the 1.0 percent KPERs Death and Disability contribution that is currently subject to a moratorium described below.

The Governor recommends the KPERs State and School Group be reamortized. The current amortization period was set by the Legislature in 1993 for 40 years. The Governor proposes the new amortization be set for 25 years beginning in FY 2022, an extension of 10 years to the current plan. Reamortization would reduce employer contributions for the KPERs State and School Group in the short term. It is estimated that resetting the amortization period to 25 years could produce budget savings of \$177.3 million, including \$158.7 million SGF, for FY 2022. The Governor's recommendation would also incorporate \$25.8 million in KPERs layering payments into the amortization schedules. **No savings from this policy are currently included in this agency's budget.**

KPERs Death and Disability Group Insurance Fund. During FY 2021, a moratorium on employer contributions to the KPERs Death and Disability Group Insurance Fund was in effect. The fund had a sufficient balance to suspend payments on a temporary basis without affecting employee benefits. The moratorium was implemented *via* the Governor's allotment authority; therefore, the Legislative and Judicial branches are currently excluded from the moratorium. The total savings for the moratorium are estimated at \$46.7 million in contributions from the SGF. Included in this amount were savings of approximately \$40.3 million from KPERs School Group contributions in the Kansas State Department of Education budget. No similar moratorium is proposed for FY 2022, requiring the addition of \$46.7 million to annualize the payments for the full fiscal year.

Funding Sources

Funding Source	Agency Req. Percent of Total FY 2022	Gov. Rec. Percent of Total FY 2022
State General Funds	24.4 %	21.9 %
All Other Funds	75.6	78.1
TOTAL	100.0 %	100.0 %

(Note: Totals may not add due to rounding.)

Medicaid Fraud Prosecution Revolving Fund Analysis

The Medicaid Fraud Prosecution Revolving Fund collects awarded fees and prosecution expenses following successful prosecution in Medicaid fraud cases. Expenditures from this account are to meet the required 25.0 percent state match requirement for federal Medicaid Fraud program grants. In the past, the Medicaid Fraud Prosecution Revolving Fund met the 25.0 percent state match requirement through awards from consumer protection judgments regarding prescription drug labels. However, awards from such judgments have ceased, and the Office of the Attorney General requested and received a transfer of \$600,000 from the State General Fund to the Medicaid Fraud Prosecution Revolving Fund in FY 2019 and FY 2020. The agency did not ask for funds to be transferred in either FY 2021 or FY 2022 and anticipates the balance in the fund will support expenditures for both years.

Resource Estimate	Actual FY 2020	Agency Estimate FY 2021	Gov. Rec. FY 2021	Agency Request FY 2022	Gov. Rec. FY 2022
Beginning Balance	\$ 2,234,294	\$ 2,484,020	\$ 2,484,020	\$ 1,818,082	\$ 1,818,082
Revenue	177,195	190,000	190,000	190,000	190,000
Transfers in	600,000	0	0	0	0
<i>Funds Available</i>	\$ 3,011,489	\$ 2,674,020	\$ 2,674,020	\$ 2,008,082	\$ 2,008,082
Less:					
Expenditures	\$ 527,469	\$ 855,938	\$ 855,938	\$ 986,340	\$ 986,340
Transfers Out	0	0	0	0	0
Off-Budget Expenditures	0	0	0	0	0
Ending Balance	\$ 2,484,020	\$ 1,818,082	\$ 1,818,082	\$ 1,021,742	\$ 1,021,742
Ending Balance as Percent of Expenditures	470.9%	212.4%	212.4%	103.6%	103.6%
Month Highest Ending Balance	July \$ 2,790,343	July \$ 2,790,001	July \$ 2,790,001	July \$ 2,270,548	July \$ 2,270,548
Month Lowest Ending Balance	June \$ 2,490,094	June \$ 1,818,082	June \$ 1,818,082	June \$ 1,021,742	June \$ 1,021,742

Court Cost Fund Analysis

The Court Cost Fund recovers fees and expenses of investigators and attorneys in the Consumer Protection Division. The main source of revenue is from large, multi-state actions. As a smaller state, Kansas has little control over these cases and must generally depend on other

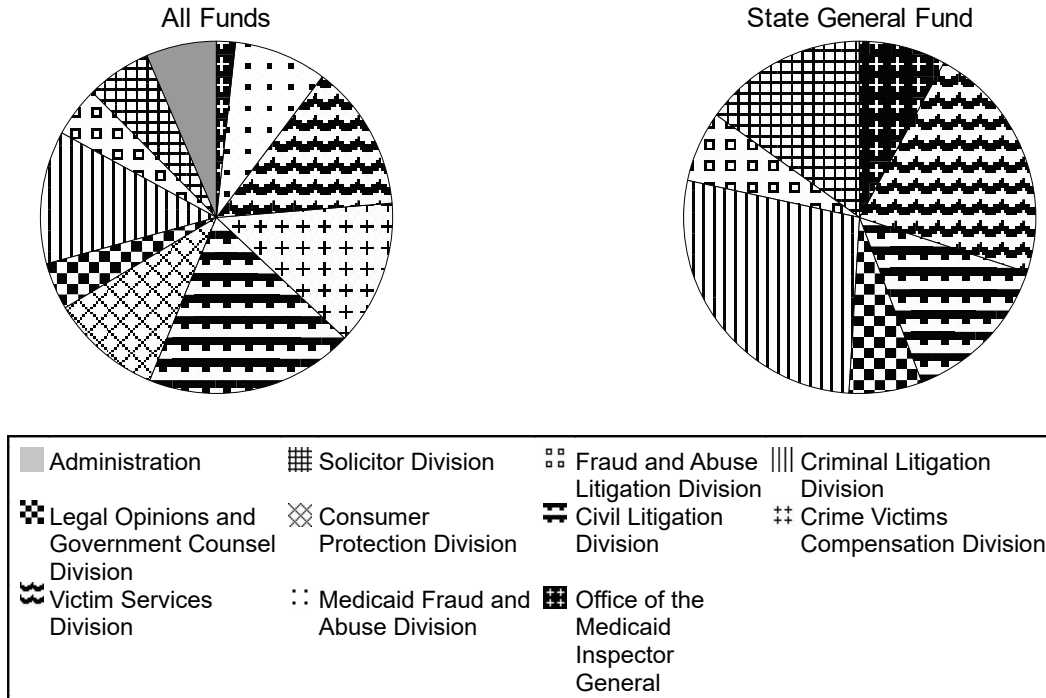
states to take the lead. The agency deposits these receipts consistent with the related court order for use in consumer protection matters. Receipts can vary widely from year to year. The agency uses this fund to support the Consumer Protection Division and for salaries and wages that had previously been paid through SGF moneys.

Resource Estimate	Actual FY 2020	Agency Estimate FY 2021	Gov. Rec. FY 2021	Agency Request FY 2022	Gov. Rec. FY 2022
Beginning Balance	\$ 9,910,163	\$ 8,729,097	\$ 8,729,097	\$ 5,075,069	\$ 5,045,069
Revenue	3,386,987	728,575	728,575	769,165	769,165
Transfers in	2,250,000	1,750,000	1,750,000	1,750,000	1,750,000
<i>Funds Available</i>	<u>\$ 15,547,150</u>	<u>\$ 11,207,672</u>	<u>\$ 11,207,672</u>	<u>\$ 7,594,234</u>	<u>\$ 7,564,234</u>
Less:					
Expenditures	\$ 4,568,053	\$ 4,382,603	\$ 4,412,603	\$ 4,464,318	\$ 4,847,672
Transfers Out	2,250,000	1,750,000	1,750,000	1,750,000	1,750,000
Off-Budget Expenditures	0	0	0	0	0
Ending Balance	<u>\$ 8,729,097</u>	<u>\$ 5,075,069</u>	<u>\$ 5,045,069</u>	<u>\$ 1,379,916</u>	<u>\$ 966,562</u>
Ending Balance as Percent of Expenditures	191.1%	115.8%	114.3%	30.9%	19.9%
Month Highest Ending Balance	November <u>\$ 11,086,117</u>	November <u>\$ 9,764,904</u>	November <u>\$ 9,764,904</u>	November <u>\$ 5,643,746</u>	November <u>\$ 5,643,746</u>
Month Lowest Ending Balance	June \$ 8,729,097	June \$ 5,075,069	June \$ 5,045,069	June \$ 1,379,916	June \$ 966,562

PROGRAM DETAIL

Expenditures by Program

Governor's FY 2022 Recommendation



Program	Gov. Rec. All Funds FY 2022	Percent of Total	Gov. Rec. SGF FY 2022	Percent of Total
Administration	\$ 1,730,931	6.6 %	\$ 3,500	0.1 %
Solicitor Division	1,587,457	6.1	882,170	15.1
Fraud and Abuse Litigation Division	1,231,990	4.7	379,790	6.5
Criminal Litigation Division	3,258,306	12.4	1,604,735	27.4
Legal Opinions and Government Counsel Division	682,956	2.6	392,790	6.7
Consumer Protection Division	2,729,489	10.4	0	0.0
Civil Litigation Division	5,121,642	19.5	832,969	14.2
Crime Victims Compensation Division	3,555,450	13.6	0	0.0
Victim Services Division	3,587,152	13.7	1,292,720	22.1
Medicaid Fraud and Abuse Division	2,273,500	8.7	0	0.0
Office of the Medicaid Inspector General	464,282	1.8	464,282	7.9
TOTAL	\$ 26,223,155	100.0 %	\$ 5,852,956	100.0 %

FTE POSITIONS BY PROGRAM FY 2020 – FY 2022					
Program	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Administration	12.7	15.2	15.2	15.2	15.2
Solicitor Division	10.8	12.8	12.8	12.8	12.8
Fraud and Abuse Litigation Division	12.0	12.0	12.0	12.0	12.0
Criminal Litigation	29.7	30.1	30.1	30.1	30.1
Legal Opinions and Gov. Counsel Division	8.7	4.5	4.5	4.5	4.5
Consumer Protection Division	27.7	27.6	27.6	27.4	27.4
Civil Litigation Division	25.1	22.7	22.7	22.9	22.9
Crime Victims Compensation	5.9	6.0	6.0	6.0	6.0
Victim Services Division	12.0	9.6	9.6	9.6	9.6
Medicaid Fraud and Abuse Division	24.0	24.0	24.0	24.0	24.0
Office of the Medicaid Inspector General	4.0	4.0	4.0	4.0	4.0
Off Budget	0.5	4.8	4.8	4.8	4.8
TOTAL	173.1	173.3	173.3	173.3	173.3

(Note: For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.)

A. Administration Division

The Administration Division is responsible for the accounting, budgeting, purchasing, information technology, and human resources functions for the agency. This program is also responsible for providing timely and accurate information to the Legislature and the public on legal matters affecting the state and to provide for the effective servicing of citizen advisory groups.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Number of Formal Releases of Opinions, News, Information, and the AG's Consumer Protection Advice*	313	290	300	298	300	300
Agency Expenditures						
All Funds (Dollars in Millions)	\$ 1.3	\$ 1.1	\$ 1.6	\$ 1.6	\$ 1.8	\$ 1.7
FTE Positions	8.1	10.3	12.7	12.7	15.2	15.2

*The Governor's Office does not utilize this measure for evaluation purposes.

ADMINISTRATION					
SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Expenditures:					
Salaries and Wages	\$ 1,010,136	\$ 1,291,890	\$ 1,291,890	\$ 1,303,352	\$ 1,303,352
Contractual Services	421,086	369,251	391,057	374,979	374,979
Commodities	19,969	11,600	12,500	11,600	11,600
Capital Outlay	102,422	41,000	103,146	41,000	41,000
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 1,553,613</u>	<u>\$ 1,713,741</u>	<u>\$ 1,798,593</u>	<u>\$ 1,730,931</u>	<u>\$ 1,730,931</u>
Aid to Local Units	0	0	0	0	0
Other Assistance	25,000	0	0	0	0
TOTAL	<u>\$ 1,578,613</u>	<u>\$ 1,713,741</u>	<u>\$ 1,798,593</u>	<u>\$ 1,730,931</u>	<u>\$ 1,730,931</u>
Financing:					
State General Fund	\$ (2,894)	\$ 3,500	\$ 3,500	\$ 3,500	\$ 3,500
All Other Funds	1,581,507	1,710,241	1,795,093	1,727,431	1,727,431
TOTAL	<u>\$ 1,578,613</u>	<u>\$ 1,713,741</u>	<u>\$ 1,798,593</u>	<u>\$ 1,730,931</u>	<u>\$ 1,730,931</u>
FTE Positions	12.7	15.2	15.2	15.2	15.2

The **agency** requests \$1.7 million, including \$3,500 SGF, for the Administration Division for FY 2022. This is an increase of \$17,190, or 1.0 percent, above the FY 2021 revised estimate. The increase is due to expected increases in the state buildings capital charge and employer contributions to group health insurance. This amount includes \$57,215 in unallowable grant expenses including the State Buildings Capital Charge and communications expenditures that cannot be funded with federal moneys.

The agency requests 15.2 FTE positions for the Administration Division, which is unchanged from the agency's FY 2021 revised estimate.

The **Governor** concurs with the agency's request for FY 2022.

B. Solicitor Division

The Solicitor Division is responsible for representing the State of Kansas in appeals before state and federal appellate courts. This division was created as a free-standing division within the Office of the Attorney General in FY 2017, consolidating components that were housed in the Administration, Civil Litigation, and Criminal Litigation divisions of the agency. Four programs are housed within the Solicitor Division, detailed below:

Civil Appeals. The Civil Appeals program represents the State of Kansas in civil appeals before state and federal courts. This program contains four subprograms.

Criminal Appeals. The Criminal Appeals program represents the State of Kansas in criminal direct appeals before state and federal appellate courts. This program contains seven subprograms.

Contracted County Criminal Appeals. The Contracted County Criminal Appeals program represents the State of Kansas in criminal direct appeals and collateral appeals before

state and federal appellate courts by contracting with county and district attorneys throughout the state.

Review of Notices of Constitutional Challenges. The Review of Notices of Constitutional Challenges program receives and reviews notices when the validity of a Kansas law is challenged on grounds that the law violates the state constitution, federal constitution, or federal law, pursuant to KSA 75-764.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Number of Civil Amicus Briefs Reviewed and Acted on by the Agency*	125	113	100	120	120	120
Number of New Appellate Cases Filed*	34	21	30	21	30	30
Agency Expenditures						
All Funds (Dollars in Millions)	\$ 1.0	\$ 1.0	\$ 1.3	\$ 1.2	\$ 1.6	\$ 1.6
FTE Positions	6.4	7.8	10.8	10.8	12.8	12.8

*The Governor's Office does not utilize this measure for evaluation purposes.

SOLICITOR DIVISION SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Expenditures:					
Salaries and Wages	\$ 846,796	\$ 1,251,162	\$ 1,251,162	\$ 1,261,524	\$ 1,261,524
Contractual Services	357,598	300,608	300,608	301,258	301,258
Commodities	3,206	3,975	3,975	3,975	3,975
Capital Outlay	41,069	20,700	20,700	20,700	20,700
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<i>\$ 1,248,669</i>	<i>\$ 1,576,445</i>	<i>\$ 1,576,445</i>	<i>\$ 1,587,457</i>	<i>\$ 1,587,457</i>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
TOTAL	\$ 1,248,669	\$ 1,576,445	\$ 1,576,445	\$ 1,587,457	\$ 1,587,457
Financing:					
State General Fund	\$ 721,893	\$ 849,973	\$ 849,973	\$ 882,170	\$ 882,170
All Other Funds	526,776	726,472	726,472	705,287	705,287
TOTAL	\$ 1,248,669	\$ 1,576,445	\$ 1,576,445	\$ 1,587,457	\$ 1,587,457
FTE Positions	10.8	12.8	12.8	12.8	12.8

The **agency** requests \$1.6 million, including \$882,170 SGF, for the Solicitor Division for FY 2022. This is an all funds increase of \$11,012, or 0.7 percent, and an SGF increase of \$32,197, or 3.8 percent, above the FY 2021 revised estimate. This increase is primarily attributable to expected increases in employer contributions to employee fringe benefits.

The agency requests 12.8 FTE positions for the Solicitor Division, which is unchanged from the FY 2021 revised estimate.

The **Governor** concurs with the agency's request for FY 2022.

C. Fraud and Abuse Litigation Division

The Fraud and Abuse Litigation Division is responsible for the requirements of KSA 75-723, which allow for the Attorney General to assist in the investigation and prosecution of cases involving abuse, neglect, or exploitation of adults, as well as cases involving a financial component. This division serves as a statewide resource for local authorities in investigating and prosecuting such cases. This division also provides for education for lawyers, law enforcement, and the general public.

The 2017 Legislature relocated existing prosecution resources from the Office of the Securities Commissioner and the Kansas Insurance Department to the Office of the Attorney General. These resources are now located within the Fraud and Abuse Litigation Division.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Number of General White-Collar Cases Being Criminally Litigated*	7	4	6	7	6	6
Number of Cases Being Criminally Litigated*	12	15	14	19	14	14
Number of Cases being Criminally Investigated*	61	36	30	40	30	30
Agency Expenditures						
All Funds (Dollars in Millions)	\$ 0.7	\$ 1.1	\$ 1.1	\$ 1.2	\$ 1.2	\$ 1.2
FTE Positions	10.0	11.0	12.0	12.0	12.0	12.0

*The Governor's Office does not utilize this measure for evaluation purposes.

FRAUD AND ABUSE LITIGATION DIVISION SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Expenditures:					
Salaries and Wages	\$ 971,194	\$ 1,004,396	\$ 1,004,396	\$ 1,013,862	\$ 1,013,862
Contractual Services	138,686	151,596	151,596	151,649	151,649
Commodities	5,591	14,279	14,279	14,279	14,279
Capital Outlay	42,415	27,200	27,200	27,200	27,200
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<i>\$ 1,157,886</i>	<i>\$ 1,197,471</i>	<i>\$ 1,197,471</i>	<i>\$ 1,206,990</i>	<i>\$ 1,206,990</i>
Aid to Local Units	13,100	25,000	25,000	25,000	25,000
Other Assistance	0	0	0	0	0
TOTAL	\$ 1,170,986	\$ 1,222,471	\$ 1,222,471	\$ 1,231,990	\$ 1,231,990
Financing:					
State General Fund	\$ 330,775	\$ 442,299	\$ 422,299	\$ 379,499	\$ 379,499
All Other Funds	840,211	780,172	800,172	852,491	852,491
TOTAL	\$ 1,170,986	\$ 1,222,471	\$ 1,222,471	\$ 1,231,990	\$ 1,231,990
FTE Positions	12.0	12.0	12.0	12.0	12.0

The **agency** requests \$1.2 million, including \$379,499 SGF, for FY 2022. This is an all funds increase of \$9,519, or 0.8 percent, and an SGF decrease of \$62,800, or 14.2 percent, below the agency's FY 2021 revised estimate. The SGF decrease is primarily within contractual services, however those decreases were partially offset by increases in special revenue funds primarily through the Fraud and Abuse Criminal Prosecution Fund.

The agency requests 12.0 FTE positions for the Fraud and Abuse Litigation Division, which is unchanged from the agency's FY 2021 revised estimate.

The **Governor** concurs with the agency's request for FY 2022.

D. Criminal Litigation Division

The Criminal Litigation Division is responsible for providing legal advice, support, and aid to Kansas counties and district attorneys prosecuting those charged with violating the Kansas Criminal Code. This division also sustains appellate attorneys representing the State in criminal direct appeals and collateral appeals before state and federal appellate courts. Additionally, this division provides representation for the State in civil commitment proceedings for those deemed to be sexually violent predators. This division investigates complaints of abuse of children processed in the Department for Aging and Disability Services and the Department of Corrections. Other duties of this division include establishing sharing agreements to receive revenues from federal forfeiture cases; investigating and licensing applicants for concealed carry weapons; providing licensing services and maintaining information on persons and agencies as private detectives and agencies; and maximizing the use of the Kansas Intelligence Fusion Center, which produces intelligence analysis of terrorism threats, biological threats, and cyber-warfare.

PERFORMANCE MEASURES						
<u>Measure</u>	<u>Actual FY 2018</u>	<u>Actual FY 2019</u>	<u>Gov. Rec. FY 2020</u>	<u>Actual FY 2020</u>	<u>Gov. Rec. FY 2021</u>	<u>Gov. Rec. FY 2022</u>
Number of Criminal Cases Accepted from County and District Attorney Offices	36	44	35	22	30	30
Number of Requests to Assist Other Agencies Supported*	55	29	30	27	25	25
<u>Agency Expenditures</u>						
All Funds (Dollars in Millions)	\$ 2.9	\$ 3.3	\$ 3.2	\$ 3.4	\$ 3.3	\$ 3.3
FTE Positions	31.2	35.3	29.8	29.7	30.1	30.1
*The Governor's Office does not utilize this measure for evaluation purposes.						

**CRIMINAL LITIGATION DIVISION
SUMMARY OF EXPENDITURES FY 2020 – FY 2022**

Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Expenditures:					
Salaries and Wages	\$ 2,569,480	\$ 2,548,832	\$ 2,548,832	\$ 2,514,870	\$ 2,514,870
Contractual Services	639,869	633,140	633,140	636,561	636,561
Commodities	23,732	30,650	30,650	36,350	36,350
Capital Outlay	118,409	107,451	107,451	70,525	70,525
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 3,351,490</u>	<u>\$ 3,320,073</u>	<u>\$ 3,320,073</u>	<u>\$ 3,258,306</u>	<u>\$ 3,258,306</u>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
TOTAL	<u>\$ 3,351,490</u>	<u>\$ 3,320,073</u>	<u>\$ 3,320,073</u>	<u>\$ 3,258,306</u>	<u>\$ 3,258,306</u>
Financing:					
State General Fund	\$ 1,568,638	\$ 1,932,897	\$ 1,902,897	\$ 1,786,459	\$ 1,604,735
All Other Funds	1,782,852	1,387,176	1,417,176	1,471,847	1,653,571
TOTAL	<u>\$ 3,351,490</u>	<u>\$ 3,320,073</u>	<u>\$ 3,320,073</u>	<u>\$ 3,258,306</u>	<u>\$ 3,258,306</u>
FTE Positions	29.7	30.1	30.1	30.1	30.1

The **agency** requests \$3.3 million, including \$1.8 million SGF, for the Criminal Litigation Division for FY 2022. The request is an all funds decrease of \$61,767, or 1.9 percent, and an SGF decrease of \$146,438, or 7.6 percent, below the agency's FY 2021 revised estimate. The agency decreased SGF expenditures primarily within contractual services for costs related to litigation, including witness fees, certified court reporter services, and other expert services. However, those decreases are partially offset by increases in special revenue funds primarily through the Court Cost Fund.

The agency requests 30.1 FTE positions for the Criminal Litigation Division for FY 2022, which is unchanged from the agency's FY 2021 revised estimate.

The **Governor** recommends expenditures of \$3.3 million, including \$1.6 million SGF, for FY 2022. This is an SGF decrease of \$181,724, or 10.2 percent, below the agency's FY 2022 request. The Governor recommends decreasing the use of SGF moneys and increasing the use of special revenue funds in the same amount.

E. Legal Opinions and Government Counsel Division

The Legal Opinions and Government Counsel Division is responsible for researching and issuing written legal opinions requested by legislators, public agencies, and other officials; reviewing new and amended proposed agency rules and regulations; and reviewing bond issue and temporary note transcripts and easements, special assessments, deeds, and leases on state property. This division also serves as general counsel to 30 state agencies, boards, and commissions that have no in-house counsel. This division is also responsible for providing public education and training on the Kansas Open Meetings Act and the Kansas Open Records Act. In addition, this division is responsible for investigating potential violations of the Kansas Architectural Accessibility Act. This division recently assumed responsibility for the Racial or Other Bias-Based Policing duties of the Attorney General.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Number of written legal opinions issued*	20	16	20	12	20	20
Number of regulations reviewed*	646	626	825	632	800	800
Agency Expenditures						
All Funds (Dollars in Millions)	\$ 0.8	\$ 0.9	\$ 0.9	\$ 1.1	\$ 0.7	\$ 0.7
FTE Positions	8.0	8.5	8.8	9.3	9.3	9.3

*The Governor's Office does not utilize this measure for evaluation purposes.

LEGAL OPINIONS AND GOVERNMENT COUNSEL DIVISION SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Expenditures:					
Salaries and Wages	\$ 842,602	\$ 483,542	\$ 483,542	\$ 487,663	\$ 487,663
Contractual Services	205,465	177,548	177,548	178,043	178,043
Commodities	2,178	2,000	2,000	2,000	2,000
Capital Outlay	39,597	13,250	13,250	15,250	15,250
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<i>\$ 1,089,842</i>	<i>\$ 676,340</i>	<i>\$ 676,340</i>	<i>\$ 682,956</i>	<i>\$ 682,956</i>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
TOTAL	<u>\$ 1,089,842</u>	<u>\$ 676,340</u>	<u>\$ 676,340</u>	<u>\$ 682,956</u>	<u>\$ 682,956</u>
Financing:					
State General Fund	\$ 455,394	\$ 405,652	\$ 405,652	\$ 392,790	\$ 392,790
All Other Funds	634,448	270,688	270,688	290,166	290,166
TOTAL	<u>\$ 1,089,842</u>	<u>\$ 676,340</u>	<u>\$ 676,340</u>	<u>\$ 682,956</u>	<u>\$ 682,956</u>
FTE Positions	9.3	9.3	9.3	9.3	9.3

The **agency** requests \$682,956, including \$392,790 SGF, for the Legal Opinions and Government Counsel Division for FY 2022. This is an all funds increase of \$6,616, or 1.0 percent, an an SGF decrease of \$12,862, or 3.2 percent, from the FY 2021 revised estimate. This all funds increase is primarily attributable to expected increases in employer contributions for employee benefits. The SGF decrease is attributable to a decrease in contractual services.

The agency requests 9.3 FTE positions for the Legal Opinions and Government Counsel Division for FY 2022, which is unchanged from the FY 2021 revised estimate. This includes 4.8 off-budget FTE positions.

The **Governor** concurs with the agency's request for FY 2022.

F. Consumer Protection Division

The Consumer Protection Division is responsible for safeguarding the citizens of Kansas by educating consumers and businesses and providing efficient, effective, and ethical enforcement of the Kansas Consumer Protection Act, the Kansas Charitable Organizations and Solicitations Act, state and federal antitrust laws, racial or other bias-based policing laws, the Kansas False Claims Act, the Kansas Roofing Registration Act, the Kansas No Call Act, and investigation of the criminal statutes that are tied to consumer complaints, including identity theft and financial elder abuse.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Number of Complaints Files Opened*	2,636	2,399	2,500	2,817	2,500	2,500
Number of Complaints Resolved or Closed*	2,575	2,459	2,500	2,626	2,500	2,500
Agency Expenditures						
All Funds (Dollars in Millions)	\$ 2.4	\$ 2.6	\$ 2.5	\$ 2.8	\$ 2.7	\$ 2.7
FTE Positions	25.6	28.0	27.8	27.7	27.6	27.4

*The Governor's Office does not utilize this measure for evaluation purposes.

CONSUMER PROTECTION DIVISION SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Expenditures:					
Salaries and Wages	\$ 2,141,982	\$ 2,216,185	\$ 2,216,185	\$ 2,218,276	\$ 2,218,276
Contractual Services	524,236	444,423	444,423	447,611	447,611
Commodities	12,035	12,420	12,420	12,420	12,420
Capital Outlay	58,671	51,182	51,182	51,182	51,182
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 2,736,924</u>	<u>\$ 2,724,210</u>	<u>\$ 2,724,210</u>	<u>\$ 2,729,489</u>	<u>\$ 2,729,489</u>
Aid to Local Units	0	0	0	0	0
Other Assistance	47,893	0	0	0	0
TOTAL	<u>\$ 2,784,817</u>	<u>\$ 2,724,210</u>	<u>\$ 2,724,210</u>	<u>\$ 2,729,489</u>	<u>\$ 2,729,489</u>
Financing:					
State General Fund	\$ 135,437	\$ 66,814	\$ 66,814	\$ 148,285	\$ 0
All Other Funds	2,649,380	2,657,396	2,657,396	2,581,204	2,729,489
TOTAL	<u>\$ 2,784,817</u>	<u>\$ 2,724,210</u>	<u>\$ 2,724,210</u>	<u>\$ 2,729,489</u>	<u>\$ 2,729,489</u>
FTE Positions	27.7	27.6	27.6	27.4	27.4

The **agency** requests \$2.7 million, including \$148,285 SGF, for the Consumer Protection Division for FY 2022. This is an all funds increase of \$5,279, or 0.2 percent, and an SGF increase of \$81,471, or 121.9 percent, above the FY 2021 revised estimate. The all funds increase is primarily attributable to increases in operating expenditures within the Court Cost Fund, and the SGF increase is primarily attributable to expected increases in fringe benefits.

The agency requests 27.4 FTE positions for FY 2022, which is a 0.2 position decrease from the FY 2021 revised estimate.

The **Governor** recommends \$2.7 million, all from special revenue funds, for FY 2022. This is an SGF decrease of \$148,285 below the agency's request. The Governor recommends decreasing the use of SGF moneys and increasing the use of special revenue funds in the same amount. The Governor concurs with the agency's request for 27.4 FTE positions.

G. Civil Litigation Division

The Civil Litigation Division is responsible for providing for the defense of the State of Kansas and its agencies and employees in civil matters contested before Kansas or federal courts and before administrative agencies. This division is also responsible for carrying out the Attorney General's administration of the Kansas Tort Claims Fund and for providing or arranging for the defense of civil actions or proceedings against covered persons and entities. This division also acts as counsel for numerous smaller state agencies in disciplinary and licensure matters under the Kansas Administrative Procedures Act or the Kansas Judicial Review Act. Among other duties assigned to this division are enforcement of the 1999 Tobacco Master Settlement Agreement, providing review and approval of trustee accounting for charitable trusts, providing assistance to state agencies involved in bankruptcy matters to protect against the discharge of debts owed to state government, and reviewing applications for the placement of tribal-owned land into trust with the federal government.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Number of Case Files Handled (Processed)	1,966	1,956	1,900	2,506	2,300	2,300
<u>Agency Expenditures</u>						
All Funds (Dollars in Millions)	\$ 5.2	\$ 6.3	\$ 6.8	\$ 7.1	\$ 5.1	\$ 5.1
FTE Positions	24.3	25.2	25.1	25.1	22.7	22.9

CIVIL LITIGATION DIVISION SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Expenditures:					
Salaries and Wages	\$ 2,334,972	\$ 2,266,856	\$ 2,266,856	\$ 2,303,972	\$ 2,303,972
Contractual Services	2,271,548	1,964,066	1,964,066	1,967,170	1,967,170
Commodities	7,735	7,500	7,500	7,500	7,500
Capital Outlay	85,305	43,000	43,000	43,000	43,000
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 4,699,560</u>	<u>\$ 4,281,422</u>	<u>\$ 4,281,422</u>	<u>\$ 4,321,642</u>	<u>\$ 4,321,642</u>
Aid to Local Units	82,818	50,000	50,000	50,000	50,000
Other Assistance	2,356,824	750,000	750,000	750,000	750,000
TOTAL	<u>\$ 7,139,202</u>	<u>\$ 5,081,422</u>	<u>\$ 5,081,422</u>	<u>\$ 5,121,642</u>	<u>\$ 5,121,642</u>
Financing:					
State General Fund	\$ 1,448,115	\$ 884,197	\$ 884,197	\$ 886,314	\$ 832,969
All Other Funds	5,691,087	4,197,225	4,197,225	4,235,328	4,288,673
TOTAL	<u>\$ 7,139,202</u>	<u>\$ 5,081,422</u>	<u>\$ 5,081,422</u>	<u>\$ 5,121,642</u>	<u>\$ 5,121,642</u>
FTE Positions	25.1	22.7	22.7	22.9	22.9

The **agency** requests \$5.1 million, including \$886,314 SGF, for the Civil Litigation Division for FY 2022. This is an all funds increase of \$40,220, or 0.8 percent, and an SGF increase of \$2,117, or 0.2 percent, above the FY 2021 revised estimate. The all funds increase is primarily attributable to increases in salaries and wages including employer contributions to employee fringe benefits.

The agency requests 22.9 FTE positions for the Civil Litigation Division, which is an increase of 0.2 FTE above the FY 2021 revised estimate.

The **Governor** recommends expenditures of \$5.1 million, including \$832,969 SGF, for FY 2022. This is an SGF decrease of \$53,345 below the agency's request. The Governor recommends decreasing the use of SGF moneys and increasing the use of special revenue funds in the same amount. The Governor concurs with the agency's request for 22.9 FTE positions.

H. Crime Victims Compensation Division

The Crime Victims Compensation Division is responsible for supporting the Crime Victims Compensation Board to ensure that monetary compensation is awarded to victims of crime for economic loss resulting from criminal conduct and in obtaining funds to satisfy victims' claims through the pursuit of subrogation rights, restitution, and fees from offenders. As part of this responsibility, this division seeks to educate public officers and employees, health care providers, judges, attorneys, law enforcement officers, victims' advocates, and others about the Board and the division.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Amount Collected from Inmates, Probationers, and Parolees for Restitution and from Subrogation Claims (Dollars in Millions)*	\$ 1.8	1.0	1.0	1.2	1.0	1.0
Agency Expenditures						
All Funds (Dollars in Millions)	\$ 3.9	\$ 3.7	\$ 4.2	\$ 3.0	\$ 3.5	\$ 3.5
FTE Positions	5.9	5.9	5.9	5.9	6.0	6.0

*The Governor's Office does not utilize this measure for evaluation purposes.

CRIME VICTIMS COMPENSATION DIVISION SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Expenditures:					
Salaries and Wages	\$ 374,324	\$ 405,436	\$ 405,436	\$ 409,446	\$ 409,446
Contractual Services	131,560	131,895	131,895	132,154	132,154
Commodities	4,174	4,300	4,300	4,300	4,300
Capital Outlay	11,949	9,550	9,550	9,550	9,550
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<i>\$ 522,007</i>	<i>\$ 551,181</i>	<i>\$ 551,181</i>	<i>\$ 555,450</i>	<i>\$ 555,450</i>
Aid to Local Units	0	0	0	0	0
Other Assistance	2,453,453	3,000,000	3,000,000	3,000,000	3,000,000
TOTAL	\$ 2,975,460	\$ 3,551,181	\$ 3,551,181	\$ 3,555,450	\$ 3,555,450
Financing:					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
All Other Funds	2,975,460	3,551,181	3,551,181	3,555,450	3,555,450
TOTAL	\$ 2,975,460	\$ 3,551,181	\$ 3,551,181	\$ 3,555,450	\$ 3,555,450
FTE Positions	5.9	6.0	6.0	6.0	6.0

The **agency** requests \$3.6 million, all from special revenue funds, for the Crime Victims Compensation Division, for FY 2022. This is an all funds increase of \$4,269, or 0.1 percent, above the FY 2021 revised estimate. The all funds increase is attributable to increases in employer contributions to group health insurance and KPERs and the state buildings capital charge.

The agency requests 6.0 FTE positions for the Crime Victims Compensation Division for FY 2022, which is unchanged from the agency's FY 2021 revised estimate.

The **Governor** concurs with the agency's request for FY 2022.

I. Victim Services Division

The Victim Services Division is responsible for meeting the duties given to the statewide Victims Rights Coordinator, pursuant to KSA 74-7337, and assuring that victims are afforded their rights per the Kansas Crime Victims Bill of Rights, pursuant to KSA 74-7333. The statutory responsibilities assigned to the Victims Rights Coordinator include creating, coordinating, and assisting in the operation of local victim-witness programs throughout the state; responding to a statewide victims rights telephone hotline; and administering the Kansas Crime Victims Assistance Fund.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Number of Directories, Brochures, and Other Printed Materials Disseminated*	62,002	78,476	60,000	56,483	30,000	30,000
Number of Searches for Offenders in Custody Conducted through the Kansas VINE Program*	278,416	451,086	450,000	293,974	290,000	290,000
Agency Expenditures						
All Funds (Dollars in Millions)	\$ 3.2	\$ 3.6	\$ 3.6	\$ 3.7	\$ 3.7	\$ 3.6
FTE Positions	9.7	9.2	10.0	12.0	9.6	9.6

*The Governor's Office does not utilize this measure for evaluation purposes.

VICTIM SERVICES DIVISION SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Expenditures:					
Salaries and Wages	\$ 812,231	\$ 811,538	\$ 811,538	\$ 818,839	\$ 818,839
Contractual Services	182,606	159,046	159,046	210,038	160,038
Commodities	7,009	7,250	7,250	7,250	7,250
Capital Outlay	11,109	259,000	9,000	9,000	9,000
Debt Service	0	0	0	0	0
Subtotal - Operations	\$ 1,012,955	\$ 1,236,834	\$ 986,834	\$ 1,045,127	\$ 995,127
Aid to Local Units	0	0	0	0	0
Other Assistance	2,651,100	2,664,225	2,664,225	2,664,225	2,592,025
TOTAL	\$ 3,664,055	\$ 3,901,059	\$ 3,651,059	\$ 3,709,352	\$ 3,587,152
Financing:					
State General Fund	\$ 1,314,287	\$ 1,804,451	\$ 1,554,451	\$ 1,609,662	\$ 1,292,720
All Other Funds	2,349,768	2,096,608	2,096,608	2,099,690	2,294,432
TOTAL	\$ 3,664,055	\$ 3,901,059	\$ 3,651,059	\$ 3,709,352	\$ 3,587,152
FTE Positions	12.0	9.6	9.6	9.6	9.6

The **agency** requests \$3.7 million, including \$1.6 million SGF, for the Victim Services Division for FY 2022. This is an all funds decrease of \$191,707, or 4.9 percent, and an SGF decrease of \$194,789, or 10.8 percent, below the agency's FY 2021 revised estimate. This decrease is primarily attributable to a decrease in capital outlay for computer software

purchases, which is partially offset by the agency's enhancement request for computer software maintenance costs (\$50,000).

The agency requests 9.6 FTE positions for the Victims Services Division for FY 2022, which is unchanged from the FY 2021 revised estimate.

The **Governor** recommends expenditures of \$3.6 million, including \$1.3 million SGF, for FY 2022. This is an all funds decrease of \$122,200, or 3.3 percent, and an SGF decrease of \$316,942, or 19.7 percent, below the agency's request. This decrease is partially attributable to the Governor not recommending the agency's enhancement request (\$50,000). The decrease is also attributable to the Governor recommending the agency's reduced resources budget. The Governor concurs with the agency's request for 9.6 FTE positions.

J. Medicaid Fraud and Abuse Division

The Medicaid Fraud and Abuse Division is responsible for receiving, investigating, and prosecuting, either civilly or criminally, all cases of suspected fraud by Medicaid providers committed against the Kansas Medicaid program. This division is tasked with recovering state and federal tax moneys fraudulently obtained by Medicaid providers and for returning said moneys to the appropriate state and federal agencies. In addition, this division receives, investigates, and prosecutes allegations of patient abuse, neglect, or exploitation or misappropriation of patients' private funds committed by health care providers in residential care facilities receiving Medicaid funds.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Number of Medicaid Open Investigations Being Handled*	219	251	275	293	325	350
Number of Medicaid Provider Fraud Open Criminal Investigations Being Handled	135	137	145	152	170	180
<u>Agency Expenditures</u>						
All Funds (Dollars in Millions)	\$ 1.7	\$ 1.7	\$ 1.7	\$ 1.8	\$ 2.3	\$ 2.3
FTE Positions	18.5	17.0	17.0	24.0	24.0	24.0

*The Governor's Office does not utilize this measure for evaluation purposes.

MEDICAID FRAUD AND ABUSE DIVISION SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Expenditures:					
Salaries and Wages	\$ 1,564,604	\$ 1,469,519	\$ 1,469,519	\$ 1,988,935	\$ 1,988,935
Contractual Services	190,505	660,763	660,763	232,215	232,215
Commodities	11,484	22,850	22,850	22,850	22,850
Capital Outlay	42,398	189,900	189,900	29,500	29,500
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 1,808,991</u>	<u>\$ 2,343,032</u>	<u>\$ 2,343,032</u>	<u>\$ 2,273,500</u>	<u>\$ 2,273,500</u>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
TOTAL	<u>\$ 1,808,991</u>	<u>\$ 2,343,032</u>	<u>\$ 2,343,032</u>	<u>\$ 2,273,500</u>	<u>\$ 2,273,500</u>
Financing:					
State General Fund	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0
All Other Funds	1,808,991	2,343,032	2,343,032	2,273,500	2,273,500
TOTAL	<u>\$ 1,808,991</u>	<u>\$ 2,343,032</u>	<u>\$ 2,343,032</u>	<u>\$ 2,273,500</u>	<u>\$ 2,273,500</u>
FTE Positions	24.0	24.0	24.0	24.0	24.0

The **agency** requests \$2.3 million, all from special revenue funds, for the Medicaid Fraud and Abuse Division for FY 2022. This is an all funds decrease of \$69,532, or 3.0 percent, below the FY 2021 revised estimate. This decrease is primarily attributable to expenditures related to office improvements during FY 2021 that do not reoccur in FY 2022.

The agency requests 24.0 FTE positions for the Medicaid Fraud and Abuse Division, which is unchanged from the FY 2021 revised estimate.

The **Governor** concurs with the agency's request for FY 2022.

K. Office of the Medicaid Inspector General

The Office of the Medicaid Inspector General is responsible for meeting the duties given to the Inspector General, pursuant to KSA 75-7427. Those responsibilities include establishing a full-time program of audit, investigation, and performance review to provide increased accountability, integrity, and oversight of the state Medicaid program, the state MediKan program, and the state children's health insurance program. The Office also assists in improving agency and program operations and in deterring and identifying fraud, waste, abuse, and illegal acts.

The 2017 Legislature transferred the Office of the Medicaid Inspector General from the Kansas Department of Health and Environment to the Office of the Attorney General, pursuant to 2017 SB 149.

PERFORMANCE MEASURES						
Measure	Actual FY 2018	Actual FY 2019	Gov. Rec. FY 2020	Actual FY 2020	Gov. Rec. FY 2021	Gov. Rec. FY 2022
Number of Audits, Reviews, and Investigations Completed*	N/A	5	12	5	5	5
Agency Expenditures						
All Funds	\$ 450	\$ 129,382	\$ 600,960	\$ 305,046	\$ 759,533	\$ 464,282
FTE Positions	4.0	4.0	4.0	4.0	4.0	4.0

*The Governor's Office does not utilize this measure for evaluation purposes.

OFFICE OF THE MEDICAID INSPECTOR GENERAL SUMMARY OF EXPENDITURES FY 2020 – FY 2022					
Item	Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022
Expenditures:					
Salaries and Wages	\$ 271,796	\$ 373,649	\$ 373,649	\$ 376,565	\$ 376,565
Contractual Services	25,614	280,884	280,884	62,535	62,535
Commodities	386	5,050	5,050	5,050	5,050
Capital Outlay	7,250	99,950	99,950	20,132	20,132
Debt Service	0	0	0	0	0
<i>Subtotal - Operations</i>	<u>\$ 305,046</u>	<u>\$ 759,533</u>	<u>\$ 759,533</u>	<u>\$ 464,282</u>	<u>\$ 464,282</u>
Aid to Local Units	0	0	0	0	0
Other Assistance	0	0	0	0	0
TOTAL	<u>\$ 305,046</u>	<u>\$ 759,533</u>	<u>\$ 759,533</u>	<u>\$ 464,282</u>	<u>\$ 464,282</u>
Financing:					
State General Fund	\$ 302,770	\$ 759,533	\$ 759,533	\$ 464,282	\$ 464,282
All Other Funds	2,276	0	0	0	0
TOTAL	<u>\$ 305,046</u>	<u>\$ 759,533</u>	<u>\$ 759,533</u>	<u>\$ 464,282</u>	<u>\$ 464,282</u>
FTE Positions	4.0	4.0	4.0	4.0	4.0

The **agency** requests \$464,282, all SGF, for the Office of the Medicaid Inspector General for FY 2022. The request is an SGF decrease of \$295,251, or 38.9 percent, below the FY 2021 revised estimate. This decrease is primarily attributable to expenditures related to office improvements during FY 2021 that do not reoccur in FY 2022.

The agency requests 4.0 FTE positions for the Office of the Medicaid Inspector General, which is unchanged from the agency's FY 2021 revised estimate.

The **Governor** concurs with the agency's request for FY 2022.