

## HOUSE BILL No. 2026

By Representative Myers

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AN ACT concerning the state long-term care ombudsman; prescribing certain powers and duties; amending K.S.A. 2000 Supp. 75-7301 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

New Section 1. (a) The ombudsman shall adopt and implement any policies the ombudsman deems necessary to recruit and train a number of volunteer ombudsmen sufficient to provide the services of at least one volunteer ombudsman in each region of the state.

(b) The ombudsman may adopt any rules and regulations necessary to implement the provisions of this act.

(c) The provisions of this section are a part of and supplemental to the long-term care ombudsman act.

Sec. 2. K.S.A. 2000 Supp. 75-7301 is hereby amended to read as follows: 75-7301. (a) The office of the state long-term care ombudsman is hereby attached to the department of administration. The office of the state long-term care ombudsman shall be in Topeka, Kansas. The secretary of administration shall provide such technical assistance and advice as the secretary deems reasonable and necessary to assist the state long-term care ombudsman office to function as an independent state agency. The secretary of administration and the department of administration shall have no authority over the state long-term care ombudsman, any regional long-term care ombudsman, any other ombudsman, including any volunteer ombudsman, or any other officer, employee or volunteer of the office of the state long-term care ombudsman with respect to the performance of any power, duty or function of the office or the exercise of any other authority of the office or the state long-term care ombudsman.

(b) For the fiscal year ending June 30, ~~2000~~ 2002, and for each fiscal year thereafter, the secretary of administration shall include the budget estimate of the office of the state long-term care ombudsman, as prepared and approved by the state long-term care ombudsman, along with the budget estimate prepared and submitted to the division of the budget for the department of administration under K.S.A. 75-3717 and amendments thereto. The budget estimate of the office of the state long-term care

1 ombudsman for each such fiscal year shall be prepared at the direction  
2 and under the supervision of the state long-term care ombudsman. Ex-  
3 penditures from appropriations to the department of administration for  
4 the office of the state long-term care ombudsman, made pursuant to  
5 budget estimates for the office, shall be made on vouchers approved by  
6 the state long-term care ombudsman or the state long-term care om-  
7 budsman's designee. All vouchers for expenditures and all payrolls of the  
8 office of the state long-term care ombudsman shall be approved by the  
9 state long-term care ombudsman or the state long-term care ombuds-  
10 man's designee.

11 *(c) For the fiscal year ending June 30, 2002, and for each fiscal year*  
12 *thereafter, the budget estimate of the state long-term care ombudsman*  
13 *shall include adequate funding for the activities of the statewide long-term*  
14 *care ombudsman program, including a regional long-term care ombuds-*  
15 *man program for each region of Kansas and a sufficient number of officers*  
16 *and employees for the office of the long-term care ombudsman, to provide*  
17 *for the recruiting and training of volunteer ombudsmen and friendly ad-*  
18 *vocates, to provide the services of the statewide long-term care ombuds-*  
19 *man program under the provisions of the long-term care ombudsman act*  
20 *for all residents of facilities in Kansas and to investigate all complaints*  
21 *involving residents of facilities in Kansas pursuant to the long-term care*  
22 *ombudsman act.*

23 Sec. 3. K.S.A. 2000 Supp. 75-7301 is hereby repealed.

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

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