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**HOUSE BILL No. 2027**

By Representative Myers  
(By request)

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10 AN ACT concerning public health and welfare; relating to the funding  
11 for home and community based services for the frail elderly (HCBS-  
12 FE) program of the department on aging; prescribing certain powers,  
13 duties and functions for preparation of caseload estimates; amending  
14 K.S.A. 2000 Supp. 75-3717 and repealing the existing section.  
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16 *Be it enacted by the Legislature of the State of Kansas:*

17 New Section 1. For the fiscal year ending June 30, 2002, and for  
18 each fiscal year thereafter, the secretary of aging shall prepare and submit  
19 a budget estimate to the division of the budget pursuant to K.S.A. 75-  
20 3717 and amendments thereto for the department on aging which in-  
21 cludes adequate funding for the home and community based services for  
22 the frail elderly (HCBS-FE) program and for the income-eligible state  
23 program for persons who are not yet certified eligible for the HCBS-FE  
24 program. Each such budget estimate shall be based on the most current  
25 case load estimates for such programs that are prepared pursuant to sec-  
26 tion 2 and amendments thereto for the fiscal year. The secretary of aging  
27 shall prepare and submit a budget estimate for the department on aging  
28 for the fiscal year ending June 30, 2003, that is 20% or more greater than  
29 the approved budget for the department on aging for the fiscal year end-  
30 ing June 30, 2002.

31 New Sec. 2. (a) On or before each December 4 and on or before  
32 each April 4, the director of the budget and the director of the legislative  
33 research department shall prepare a joint estimate of caseloads for the  
34 home and community based services for the frail elderly (HCBS-FE)  
35 program and the income-eligible state program for persons who are not  
36 yet certified eligible for the HCBS-FE program for the current fiscal year  
37 and the ensuing fiscal year.

38 (b) In the event of a disagreement or failure to agree upon a joint  
39 estimate of caseloads pursuant to subsection (a), the legislature shall util-  
40 ize the estimates of the director of the legislative research department  
41 and the governor shall utilize the estimates of the director of the budget.

42 Sec. 3. K.S.A. 2000 Supp. 75-3717 is hereby amended to read as  
43 follows: 75-3717. (a) As provided in this section, each state agency, not

1 later than October 1 of each year, shall file with the division of the budget  
2 its budget estimates for the next fiscal year, and all amendments and  
3 revisions thereof, except that, in lieu of such annual filing, each agency  
4 listed in subsection (f), not later than October 1, 2000, and every two  
5 years thereafter, shall file budget estimates for the next fiscal year and  
6 for the ensuing fiscal year thereafter. Each agency listed in subsection (f)  
7 may file adjustments to such agency's budget that was approved by the  
8 legislature during a prior fiscal year. *Subject to the provisions of section*  
9 *1, and amendments thereto*, all such budget estimates shall be in the form  
10 provided by the director of the budget. Each agency's budget estimates  
11 shall include:

12 (1) A full explanation of the agency's request for any appropriations  
13 for the expansion of present services or the addition of new activities,  
14 including an estimate of the anticipated expenditures for the next fiscal  
15 year and for each of the three ensuing fiscal years which would be re-  
16 quired to support each expansion of present services or addition of new  
17 services as requested by the state agency; and

18 (2) a listing of all programs of the agency that provide services for  
19 children and their families and the following information regarding each  
20 such program: Of the amount of the agency's request for appropriations  
21 to fund the program, that amount which will be spent on services for  
22 children or families with children and the number of children or families  
23 with children who are served by the program.

24 (b) At the same time as each state agency submits to the division of  
25 the budget a copy of its budget estimate, and all amendments and revi-  
26 sions thereof, each such state agency shall submit a copy of such estimate,  
27 and all amendments and revisions thereof, directly to the legislative re-  
28 search department for legislative use.

29 (c) The director of the budget shall require the agencies to submit a  
30 sufficient number of copies of their budget estimates, and all amendments  
31 and revisions thereof, to the director's office to satisfy the requirements  
32 of such office and one additional copy for legislative use which shall be  
33 retained in the division of the budget until the budget of the governor is  
34 submitted to the legislature. On or before the day that such budget is  
35 submitted to the legislature such legislative use copy, posted to reflect  
36 the governor's budget recommendations, shall be submitted to the leg-  
37 islative research department for use by the ways and means committee  
38 of the senate and the committee on appropriations of the house of rep-  
39 resentatives. Following presentation of the governor's budget report to  
40 the legislature, the legislative research department may request and shall  
41 receive detailed information from the division of the budget on the gov-  
42 ernor's budget recommendations.

43 (d) The director of the budget may prepare budget estimates for any

1 state agency failing to file a request.

2 (e) As used in this section, "services for children and their families"  
3 includes but is not limited to any of the following services, whether pro-  
4 vided directly or made accessible through subsidies or other payments:

5 (1) Financial support for children and families with children or en-  
6 forcement of the obligation to support a child or a family with one or  
7 more children;

8 (2) prenatal care, health care for children or immunizations for  
9 children;

10 (3) mental health or retardation services for children;

11 (4) nutrition for children or families with children or nutritional coun-  
12 seling or supplements for pregnant or nursing women;

13 (5) child care, early childhood education or parenting education;

14 (6) licensure or regulation of child care or early childhood education  
15 programs;

16 (7) treatment, counseling or other services to preserve families;

17 (8) care, treatment, placement or adoption of children without func-  
18 tioning families;

19 (9) services to prevent child abuse and to treat and protect child  
20 abuse victims;

21 (10) services for children who are pregnant, substance abusers or oth-  
22 erwise involved in high risk behavior;

23 (11) services related to court proceedings involving children; and

24 (12) youth employment services.

25 (f) On a biennial basis, the following state agencies shall file budget  
26 estimates under the provisions of subsection (a): Abstracters' board of  
27 examiners, behavioral sciences regulatory board, board of accountancy,  
28 board of examiners in optometry, board of nursing, consumer credit com-  
29 missioner, Kansas board of barbering, Kansas board of examiners in fitting  
30 and dispensing of hearing aids, Kansas dental board, Kansas real estate  
31 commission, Kansas state board of cosmetology, office of the securities  
32 commissioner of Kansas, real estate appraisal board, state bank commis-  
33 sioner, state board of healing arts, state board of mortuary arts, state board  
34 of pharmacy, state board of technical professions, state board of veterinary  
35 examiners, governmental ethics commission and state department of  
36 credit unions.

37 Sec. 4. K.S.A. 2000 Supp. 75-3717 is hereby repealed.

38 Sec. 5. This act shall take effect and be in force from and after its  
39 publication in the statute book.

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