

**65-1,254. Same; transfer of powers, duties and functions to division; reference; rules and regulations.** (a) The department of health and environment and its division of health care finance shall be the successor in every way to the powers, duties and functions of the Kansas health policy authority in which the same were vested prior to the effective date of K.S.A. 2016 Supp. 65-1,252 through 65-1,258, and amendments thereto, and that are transferred pursuant to K.S.A. 2016 Supp. 65-1,253, and amendments thereto. 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 and its division of health care finance or the secretary or the director of health care finance shall be deemed to have the same force and effect as if performed by the Kansas health policy authority in which such powers, duties, and functions were vested prior to the effective date of K.S.A. 2016 Supp. 65-1,252 through 65-1,258, and amendments thereto.

(b) The department of health and environment and its division of health care finance or designees appointed by the secretary or the director of health care finance 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 the patient protection and affordable care act, Public Law 111-148, and the health care and education reconciliation act of 2010, Public Law 111-152, and that are transferred pursuant to K.S.A. 2016 Supp. 65-1,253, and amendments thereto. 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 and its division of health care finance 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. 2016 Supp. 65-1,252 through 65-1,258, and amendments thereto.

(c) Whenever the Kansas health policy authority or words of like effect are referred to or designated by a statute, contract, memorandum of 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 and its division of health care finance, such reference or designation shall be deemed to apply to the department of health and environment and its division of health care finance.

(d) All rules and regulations, orders and directives of the Kansas health policy authority which relate to the functions transferred by K.S.A. 2016 Supp. 65-1,252 through 65-1,258, and amendments thereto, and which are in effect on the effective date of K.S.A. 2016 Supp. 65-1,252 through 65-1,258, and amendments thereto, shall continue to be effective and shall be deemed to be rules and regulations, orders and directives of the secretary of health and environment until revised, amended, revoked or nullified pursuant to law.

**History:** Executive Reorganization Order No. 38, § 3; L. 2011, ch. 134, § 3; July 1.