

Approved

Stephen R. Cloud  
Date

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Representative Stephen R. Cloud at  
Chairperson

9:07 a.m./~~p.m.~~ on Friday, January, 17, 1986 in room 522-S of the Capitol.

All members were present except:

Vice Chairperson Barr - Excused    Representative Love - Excused  
Representative Brown - Excused    Representative Ramirez - Excused  
Representative Fuller - Excused    Representative Bowden - Excused  
Committee staff present:

Avis Swartzman - Revisor  
Carolyn Rampey - Research  
Russ Mills - Research

Conferees appearing before the committee:

Gloria Timmer - Legislative Research Department

The meeting of the House Governmental Organization Committee was called to order by Representative Stephen R. Cloud at 9:07 a.m. He introduced Gloria Timmer, Legislative Research Department, who was present to give an overview of the Department of Health and Environment.

Ms. Timmer passed out a chart showing the Department's makeup by Division and the Bureaus under each Division. (See Attachment A) The committee followed her presentation with a handout contained in the packet which had been distributed at an earlier date. (See Attachment B)

Ms. Timmer stated the budget was quite a large one. She began at the General Management and Administrative level and then went through the Department Division by Division, telling the organizational structure, number of positions, general funding information and other information volunteered by Secretary Sabol.

Ms. Timmer and Secretary Sabol clarified several questions concerning the Division of Health concerning vaccines.

Under the Division of Environment and with regard to the Office of Environmental Geology, several questions were asked and explained with regard to Chapters 65 and 55, the authority of the KCC, what HB 2650 is intended to do and the Joint 498 program.

After Ms. Timmer finished her presentation, the Chairman asked the members to contact him with their subcommittee preference as soon as possible. Tuesday's agenda was announced and the meeting was adjourned at 9:58 a.m.

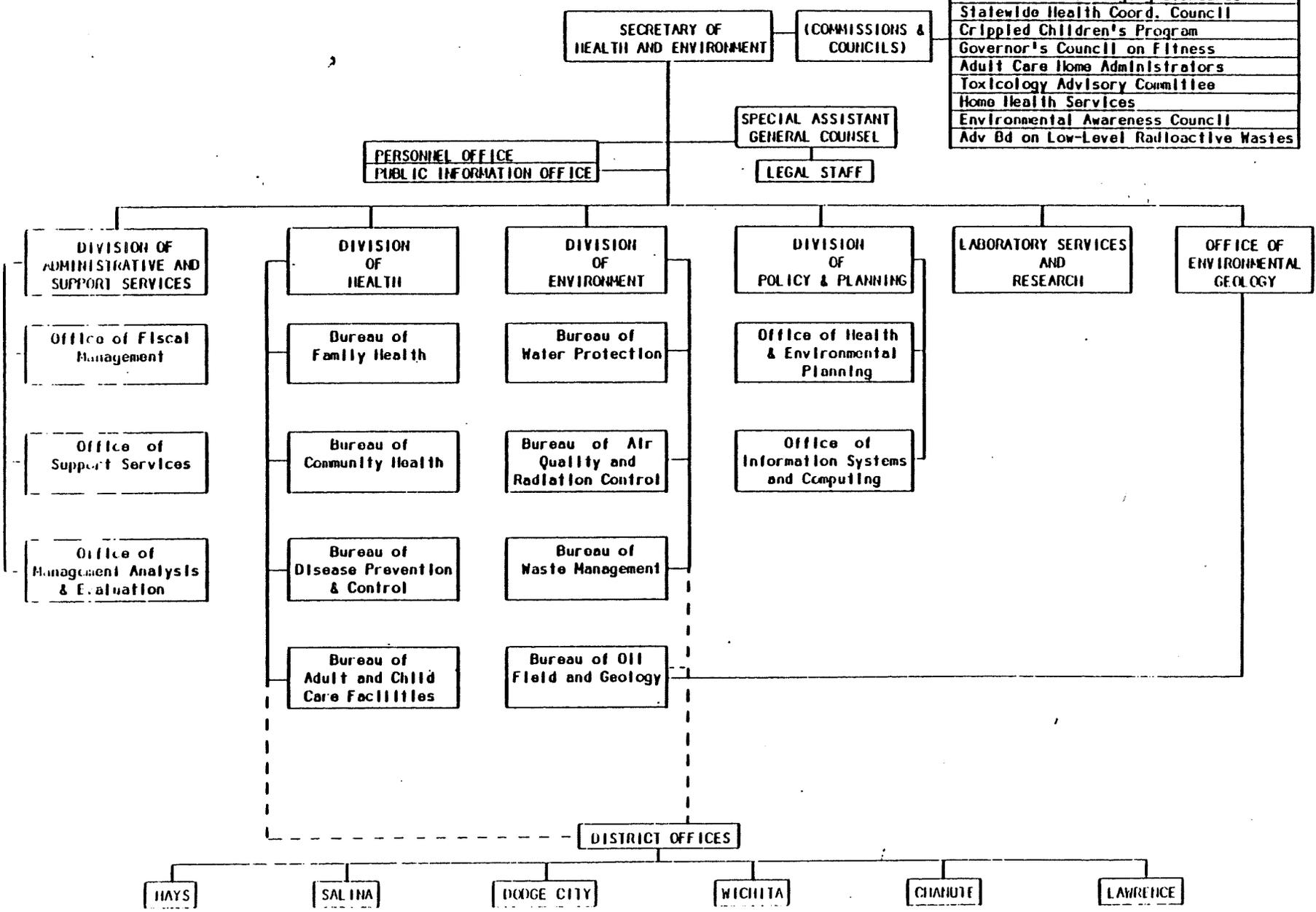
Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

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Advisory Commission on Health
Advisory Commission on Environment
Food Service & Lodging Standards
Statewide Health Coord. Council
Crippled Children's Program
Governor's Council on Fitness
Adult Care Home Administrators
Toxicology Advisory Committee
Home Health Services
Environmental Awareness Council
Adv Bd on Low-Level Radioactive Wastes



## HEALTH AND ENVIRONMENT\*

### I. General Management

#### A. Executive Administration

1. Staff Secretary and Special Assistant  
Directors - Health, Environment, Administrative and Support Policy and Planning, Laboratories
2. Main functions -- overall administration, budget and performance monitoring, database monitoring
3. Number of positions = 19.5 F.T.E.
4. Funding -- State General Fund and Federal Preschool Coordinator
5. No statutory provisions

#### B. Administrative and Support

1. All support services -- fiscal = budget, grants management, account and records maintenance, payroll; Also = maintenance -- buildings, mail, motor pool, telecommunication, duplication, purchasing
2. Number of positions = 24.0 F.T.E.
3. Funding -- State General Fund - 77 percent; WIC, MCH, Sponsored Project Overhead Preventive Health
4. No statutory provisions

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\* This outline reflects organizational structure, number of positions, general funding information, and statutory authority for FY 1986. Information is from agency budgets, publications, and staff interviews.

1/17/86 Hs. Gov. Org.  
Attachment B

C. Personnel

1. Responsible for development, implementation, and administration of policy, procedures, and support of personnel system
2. Statutorily -- follows all provisions of state civil service
3. Number of positions = 6.0 F.T.E.
4. Funding -- State General Fund -- 85 percent; Sponsored Project Overhead

D. District Office Management -- One organizational meeting for the purpose of isolating the operational costs of the district offices. (Located in Lawrence, Salina, Hays, Dodge City, Wichita, and Chanute.) Includes general office costs such as equipment rental, office supplies, custodial services, etc., which are not specifically related to office programs.

1. Number of positions = 10.5 F.T.E.
2. Funding -- State General Fund -- 85 percent; Sponsored Project Overhead
3. Not statutorily defined

E. Policy and Planning

1. Health Planning -- plan development, occupations credentialing, designation of medically underserved (had certificate of need before sunsetted by 1985 Session)
  - a. Statutes -- Health Planning -- K.S.A. 65-4701 et seq. -- mandates health planning in state (65-4704)

Credentialing -- K.S.A. 65-5001 -- mandates credentialing by Secretary

Medically Underserved — K.S.A. 76-373 through 76-377 — mandates that the Secretary prepare a list of medically-underserved areas by specialty. Is done in conjunction with the state scholarships for medical students.

- b. Number of Positions — 7.0 F.T.E.
- c. Funding — National Health Planning Funds — 90 percent, State General Fund

2. Environmental Planning

- a. Develop comprehensive State Environmental Policy Plan, review pertinent policy and legislation, advise on existing and proposed laws and regulations, staff support for Health and Environment's Environment Awareness Council, etc.
- b. No statutory references.
- c. Number of Positions — 2.0 F.T.E.
- d. Funding — State General Fund — 100 percent

3. Data Processing — Principal informational resource regarding collection, analysis, and dissemination of health and environmental data. Provides information, statistical, computing, and word processing support for Department.

- a. Statutory Review — K.S.A. 65-102 — mandates that Secretary shall register deaths, births, marriages, disease information, and "vital statistics." Also, statutes relating to medically underserved, hospital records, and reporting, etc.

b. Number of positions -- 39.0 F.T.E.

c. Funding -- State General = 85 percent, MCH, Title X, Preventive Health, etc.

II. Aid to Counties -- Provides all financial aid programs to local units of government. Includes state aid to local health departments and federal funding.

A. Child Care Licensure -- K.S.A. 65-501 to 65-521

Funding to assist local health departments in implementing state-mandated child care licensure activities -- \$125,000 -- State General Fund

B. Tuberculosis Clinics -- Wyandotte, Shawnee, Sedgwick counties -- provides tuberculosis outpatient services. \$145,000 -- State General Fund.

Also -- \$20,479 from Federal Tuberculosis Cooperative Agreement Funds.

C. Mothers and Infants (M&I) -- ten counties -- Douglas, Geary, Johnson, Leavenworth, Reno, Riley, Saline, Sedgwick, Shawnee, Wyandotte. Prenatal and postnatal care for high-risk mothers and their infants. Fees based on sliding scale. All funding from Maternal and Child Health Block Grants (MCH) \$498,688 in FY 1986.

D. Women, Infants, and Children (WIC) -- funding for administrative agencies throughout state. Approximately 51 counties currently involved. Federal dollars = \$1,712,950.

E. General Health -- provides funding for local health departments for support, development, and expansion of general health programs. Programs include: immunizations, hypertension screening, health assessments and referrals. Funding -- State General Fund \$854,506 -- formula funding in accordance with K.S.A. 65-241 et seq. Also \$421,688 from federal Preventative Health Block Grant funds.

- F. Healthy Start - Home Visitor — provides visiting lay services to families with newborn infants to promote support services and preventive health resources. Twenty-one counties are currently being served: Franklin, Leavenworth, Riley, Saline, Ford, Clay, Cloud, Dickinson, Geary, Lyon, Nemaha, Osage, Pottawatomie, Allen, Anderson, Bourbon, Linn, Woodson, Wyandotte, Sedgwick, Shawnee as well as Fort Riley. Funding for FY 1986 includes \$134,135 from Maternal and Child Health Block grants and \$104,926 from State General Fund.
- G. Maternal and Child Health — Grant program to provide funding for (a) Dental Health program, (b) Outpatient Medical Services to provide screening, diagnosis and limited treatment to children in Shawnee and Wyandotte counties, (c) Maternal and Child Health demonstration projects in 37 counties for accident prevention, immunization well-child, and EPSDT screening. Federal MCH funds = \$748,000.
- H. Family Planning — funding to local health departments and other local agencies for general family planning programs. Includes: education, consultation, referrals, and continuing supervision. Federal Title X = \$798,861.
- I. Venereal Disease — treatment and information for persons infected with or exposed to VD. Federal VD control funds = \$66,964.
- J. Migrant Health — provides health services to migratory and seasonal workers in Cheyenne, Wallace, Sherman, and Thomas counties. Provides bi-lingual staff and direct nursing, medical, and dental services. Federal Migrant Health funds = \$40,000.
- K. Adult Care Home Visitation — reimburses local health department for routine surveys and inspections and unannounced surveys of nursing home facilities. Funding = \$65,000 State General Fund.
- L. Indochinese Refugee — health screening and outreach programs in Finney, Sedgwick, and Wyandotte counties. Services include TB tests; tests for parasites, and hepatitis. Federal Refugee Health Grants = \$52,663.

- M. Air Pollution Monitoring — provides funding for local air pollution control agencies in Wyandotte, Shawnee, and Sedgwick counties. Local agencies inspect and work to assure that no new air contaminant sources are constructed or installed. Federal Local Air Quality Regulatory Services Fund = \$50,000.

III. Division of Health

A. Adult and Child Care Licensure

1. Health Facilities Licensure and Certification — staff develop, establish, and enforce licensure regulations that require health care providers provide a minimum level of care and treatment in a safe, sanitary, and functionally-adequate environment. Staff enforce federal Title XVIII (Medicare) and Title XIX (Medicaid) regulations.

a. Statutory authority

- State hospital licensing program K.S.A. 65-425-411
- Adult Care Home K.S.A. 49-923-963
- Adult Home Administrators licenses K.S.A. 65-3501-08
- Nurse Aide Training K.S.A. 39-936(c)
- Medication Aides K.S.A. 65-1,120
- Receivership K.S.A. 39-954 to 963

b. F.T.E. positions = 51

- c. Funding = Title XIX - 53 percent; Title XVIII - 23 percent; State General Fund - 24 percent

2. Child Care Facilities Licensure — regulatory administration of all child care facilities and maternity centers, including family foster homes, day care, group day care homes, child care centers, etc. Total of 2,700 registered homes - 57 licensed referral agencies

a. Statutory authority K.S.A. 65-501 to 521

b. F.T.E. positions 9.0

c. Funding = MCH - 90 percent; State General Fund - 10 percent

B. Bureau of Disease Control and Prevention

1. Food, Drug, and Lodging — inspection of food and food service establishments, lodging establishments, food vending machines, and pharmacies as well as food and drug products which may be adulterated or mislabeled. All regulations are based upon recommendations of the U.S. Food and Drug Administration.

a. Statutory authority

— Food Service and Lodging Act - K.S.A. 36-501 et seq.

— Food, Drug, and Cosmetic Act - K.S.A. 65-655 through 680

— Flour and Bread Enrichment Act - K.S.A. 65-2301 through 2307

— Also K.S.A. 65-2701 through 65-2704, 65-803 through 809, 65-6a47 through 52, 65-631 through 635, not inclusive

b. Fees prior to FY 1984 were paid into fee fund. Now all paid into State General Fund. Fees charged for licenses and applications

c. F.T.E. positions - 24.7

d. Funding - 100 percent State General Fund

2. Disease Control and Investigation - design, conduct, and evaluate public health programs to control communicable disease. Subprograms: General Epidemiology, TB Control, Immunization Activation, VD.

a. Statutory authority

- K.S.A. 75-5209 - immunization
- K.S.A. 65-101 - Secretary shall investigate disease
- K.S.A. 65-128 - control infectious diseases
- K.S.A. 65-116 - TB control in schools

3. Health Toxicology - investigate and manage health risks caused by exposure to environmental toxic agents (dioxin, lead, etc.)

a. Statutory authority - K.S.A. 65-101

b. F.T.E. positions - 3.0

c. Funding - 100 percent State General Fund

### C. Community Health Services

1. Health Promotion - provides administration, consultation, education, and support services to promote and emphasize programs on prevention and risk reducing services as related to health. Includes: Primary Prevention and Risk Reduction, Dental Health, Governor's Counsel on Fitness, Community Liason

- a. Statutory Authority - Attachment 1
  - b. F.T.E. positions - 32
  - c. Funding = State General Fund - 57 percent, Prevention Health - 26 percent, MCH - 16 percent
2. Vital Statistics - registration and records services. Collection of all records such as marriage, birth, and death certificates, etc.
- a. Statutory authority - K.S.A. 65-2401 et seq., mandates central registration. Also a variety of statutes relating to specific certificates and changes on each.
  - b. F.T.E. positions - 38
  - c. Funding - 80 percent State General Fund, MCH and Health statistics funding

Fees are collected for many certificates and registrations and are deposited directly into State General Fund.

#### D. Family Health

1. Crippled and Chronically Ill Children - responsible for the plan, development, and promotion of specialty health care for handicapped children in Kansas. Provide diagnostic, treatment, outreach, and genetic services for conditions listed on Attachment 2.
  - a. Statutory authority - K.S.A. 65-5101 to 5a16
  - b. F.T.E. positions - 23.0

- c. Funding State General Fund = 48 percent, MCH - 42 percent, also Genetic Services, Special Request, Early Identification and Intervention
  
2. Nutrition and Health - responsible for establishing policies and standards for nutrition services. Includes oversight of WIC program.
  - a. Statutory authority - in response to P.L. 95-627 (WIC)
  - b. F.T.E. positions - 7.0
  - c. Funding - 100 percent WIC
  
3. Well Family Health - promotes the health of a family through prenatal care, perinatal care, maternal and infant programs developed.
  - a. Statutory authority - see Attachment 3
  - b. F.T.E. positions - 8.0
  - c. Funding - 59 percent - Title X, 28 percent - MCH. Also State General Fund, WIC, Refugee Health
  
4. Southwest Regional Health and Migrant Services - state-operated office to provide federal WIC and Migrant Health Services in southwest Kansas.
  - a. Statutory authority - PL 94-63
  - b. F.T.E. positions - 7.0
  - c. Funding - WIC, Migrant Health, Refugee Health Grants

IV. Department of Environment

A. Bureau of Waste Management

1. Hazardous waste management - regulates generation, transportation, storage, treatment, and disposal of hazardous wastes in Kansas. Also investigation and resolution of problem sites.
  - a. Statutory authority - K.S.A. 65-3401-3472 - deal with Secretary's responsibility relating to hazardous and solid wastes. Secretary is authorized and directed to carry out specific duties.
  - b. F.T.E. positions - 35.0 (including 8.0 new FY 1986)
  - c. Funding - State General Fund = 44 percent, RCRA = 56 percent
2. Solid waste management - regulated disposal of solid wastes, encourages reclamation and recycling
3. Bureau issues permits for hazardous waste treatment and storage and disposal facilities

B. Bureau of Water Protection

1. Surface Water Pollution Control - Subprogram
  - Water Quality Assessment - determines nature and extent of water quality, evaluates effectiveness of pollution control and water quality management.
  - Water Pollution Control - assures adequate standards for construction, operation, and maintenance of wastewater treatment facilities.

- a. Statutory authority - K.S.A. 64-164 et seq., also must conform with Federal Water Pollution Control Act
  - b. F.T.E. positions - 74.1
  - c. Funding - EPA 205(g); Construction Grant - 50 percent; State General Fund - 19 percent; EPA 106 water pollution control - 22 percent; EPA 108 water quality management - 10 percent.
2. Public Drinking Water - assists, monitors, and regulates public water supply systems through surveillance and enforcement, technical assistance, and plan and specification review.
    - a. Statutory authority - K.S.A. 65-163 (meets or exceeds PL 93-523; Kansas has primary enforcement responsibility).
    - b. F.T.E. positions - 23.9
    - c. Funding - State General Fund - 36 percent; Federal Water Supply Fund - 57 percent; also federal EPA state-wide operating program and federal groundwater strategy.
- C. Air Quality and Radiation Control
1. Air Pollution Control - source control and pollution investigation and assessment, review and approve new sources of pollution, monitoring of existing sources including long-term sampling of air quality. Includes asbestos control activities.
    - a. Statutory authority - K.S.A. 65-3002 et seq., mandates that the Secretary shall control air pollution
    - b. F.T.E. positions - 26.3

- c. Funding - Air Quality Program (federal) - 63 percent; State General Fund - 37 percent.
2. Radiation Control - prevention and correction of radiation exposure through statutes, regulations, investigations and legal action. Annual registration and biennial licensing of X-ray devices and radioactive materials. Also includes oversight of Central States Low Level Waste Compact.
    - a. Statutory authority - K.S.A. 48-1601 et seq., K.S.A. 65-3406, 3407, 3411, 3418 - regarding radioactive waste
    - b. F.T.E. positions - 12.7
    - c. Funding - State General Fund - 84 percent; Diagnostic X-ray, 9 percent; Power Generating Facility Fee Fund - 6 percent.
  3. Environmental Toxicology - investigates and evaluates reports of potential adverse human health effects from exposure to hazardous chemicals and other environmental agents. Also prevention when possible.
    - a. Statutory authority - K.S.A. 65-101 (General statute making Secretary of Health and Environment responsible for general health of Kansans.)
    - b. F.T.E. positions - 7.0
    - c. Funding - State General Fund - 100 percent
- D. Oil Field and Environmental Geology
- Oil field pollution control and underground injection control - review of injection well applicatons, evaluation of oil field pollution control equipment and enforcement action when violations are found.

- Pollution hydrogeology - groundwater pollution control regulatory and technical assistance programs related to landfills, hazardous waste sites, etc.

1. Statutory authority

- K.S.A. 65-161, 65-164 through 65-171 -- protect underground waters from pollution
- K.S.A. 55-128 - oil field injection control activities
- K.S.A. 82a-1201 through 82a-1215 and 55-904 - regulatory activities
- Also must comply with federal EPA standards and laws in order to retain Kansas program primary.

2. F.T.E. positions - 34.0

3. Funding - State General Fund - 52 percent; EPA Underground Injection Control - 20 percent; Hazardous Waste Cleanup Fund - 22 percent; Conservation Fee Fund - 6 percent.

4. Program oversees expenditures of Hazardous Waste Cleanup Fund - \$300,000 from Sponsored Project Fee Fund; \$50,000 State General Fund FY 1986.

V. Laboratory Services and Research

- Records and Reports - administrative and clerical functions
- Chemistry - chemical analysis, environmental organic and inorganic, radiation, health, and air quality chemistry
- Laboratory Certification and Improvement - clinical laboratory improvement, environmental laboratory improvement, law enforcement laboratory improvement

- A. Statutory authority - as applies to other programs
- B. F.T.E. positions - 72
- C. Funding - State General Fund - 93 percent. Also Preventive Health Block Grant, Title XVIII (Medicare), Power Generating Facility Fees Fund

## ATTACHMENT 1

### Statutory Authority — Health Promotion

The Office of Health Promotion was established in FY 1984, with the reorganization of the Department. It exists under the general mandate of the Department to provide health education to the citizens of the state and under specific parts of a number of statutes as follows:

K.S.A. 65-101 gives the Department broad responsibility for health supervision. K.S.A. 65-103a authorizes the Department to receive grants of money and funds appropriated under any federal act or any source. These two provide the base for health promotion programs.

Statutes supporting health promotion programming related to family planning, pregnancy, infancy, and preschool years are:

K.S.A. 65-513 — provides for the issuance of educational literature on the health and care of infants and children, and the application of preventive measures for the prevention and suppression of diseases of infancy and early childhood.

K.S.A. 23-501, 502 (Kansas Family Planning Law — 1965) — requires the Department to conduct a program of family planning information and services in cooperation with local county health departments and Social and Rehabilitation Services.

K.S.A. 37-178 through 724 (Child Abuse Laws) — defines child abuse and requires reporting of.

K.S.A. 8-1343 through 1347 (Child Passenger Safety Act, amended by 1984 Kansas Legislature) — provides base for child car safety seat programs.

Statutes related to school health programming are:

K.S.A. 65-1105, 1106 (Sickle Cell Program) — makes the Department responsible for information through schools for the population at risk.

K.S.A. 72-5208, 5209 — requires certification of immunization for school entrance.

K.S.A. 72-5206 — requires vision screening of school children.

K.S.A. 72-5212, 5213 — requires certification of health for school personnel.

K.S.A. 72-5201 through 5203 — requires annual dental inspection of school children.

K.S.A. 65-147 — Communicable Disease Control.

K.S.A. 72-1204 through 1207 — provides for hearing screening tests of school children.

Attachment 1 (continued)

Since 1984, the Legislature has appropriated funds for formula funding to county health departments as provided in K.S.A. 65-241 et seq.. Formula funds are used by local health departments to carry out health promotion programs.

By authority granted in K.S.A. 65-101, a Division of Dental Hygiene was established in 1936. In the reorganization of the Division of Health in 1983, the Dental Health Program was moved to the Bureau of Community Health.

ATTACHMENT 2

Acquired or Congenital Heart Disease

Burns

Congenital Hypothyroidism

Craniofacial Anomalies

Cystic Fibrosis

Galactosemia

Gasto-intestinal or genito-urinary anomalies requiring surgery

Hearing Loss

Hemophilia

Major Orthopedic Problems

PKU

Seizures

Sickle Cell

Spina Bifida

Vision Impairments

ATTACHMENT 3

Statutory Authority — Well Family Health

K.S.A. 65-153 — placed the following duties under the Division of Health in 1974 when the Department of Health and Environment was organized:

- a. application of preventive measures for the prevention and suppression of the diseases of infancy and early childhood; and
- b. infant mortality studies.

K.S.A. 23-501, 502 — Kansas Family Planning Law (1965) — requires the Department to conduct a program of family planning information and services in cooperation with local county health departments and Social and Rehabilitation Services.

K.S.A. 65-153 b-d — requires prophylaxis of eyes of newborns against infection from gonorrhea (ophthalmia neonatorum).

K.S.A. 65-177 through 179 — provides for confidentiality of research studies relating to morbidity and mortality from maternal, perinatal, and anesthetic causes.

K.S.A. 65-425 through 433 — the hospital licensing act which relates to maternity, newborn nursery, and pediatric units is utilized in consultation with hospitals.

K.S.A. 65-153f through 153h — requires prenatal serological tests for syphilis.

K.S.A. 21-3407 and 65-443 through 445 — abortion laws which require hospitals to report abortions on forms designated by the Department.

K.S.A. 75-5325 — Advisory Committee to Division of Services to Children and Youth, amended in 1980 to advise all state agencies regarding children and youth services and to administer children's trust funds allocated from Vital Statistics funds.