

SENATE BILL No. 428

By Committee on Government Efficiency

1-29

1 AN ACT concerning public assistance; requiring the secretary for children
2 and families and the secretary of health and environment to execute a
3 memorandum of understanding, data use agreement or other written
4 data-sharing instrument upon written request of the United States
5 department of agriculture or the United States department of health and
6 human services; requiring such secretaries to comply with written data
7 requests from such federal agencies made pursuant to such
8 memorandum of understanding, data use agreement or written data-
9 sharing instrument; amending K.S.A. 39-760 and repealing the existing
10 section.

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

13 Section 1. K.S.A. 39-760 is hereby amended to read as follows: 39-
14 760. (a) The secretary of health and environment and the secretary for
15 children and families are hereby directed to establish a system for the
16 reporting of suspected abuse or fraud in connection with state welfare or
17 medical assistance programs, either by recipients or ~~health care~~ *healthcare*
18 providers. The system shall be designed to permit any person in the state at
19 any time to place a toll-free call into the system and report suspected cases
20 of welfare abuse or ~~suspected cases of~~ *health care* ~~health care~~ provider
21 fraud.

22 (b) The secretary of health and environment and the secretary for
23 children and families are further directed to publicize the system
24 throughout the state.

25 (c) Notice of the existence of the system established pursuant to this
26 section shall be displayed prominently in the office or facility of every
27 ~~health care~~ *healthcare* provider who provides services under the state
28 medical assistance program.

29 (d) The secretary of health and environment shall notify annually
30 each recipient of state medical assistance of the toll-free number of the
31 system established pursuant to this section and the purpose thereof. If
32 possible, such notice shall be printed on the medical cards issued to
33 recipients by the secretary.

34 (e) *Upon receipt of a written request from the United States
35 department of agriculture, the secretary for children and families shall
36 respond fully and timely to such request by executing a memorandum of*

1 understanding, data use agreement or any other written data-sharing
2 instrument with the United States department of agriculture as necessary
3 to obtain, exchange or transmit any information required. Pursuant to
4 such memorandum of understanding, data use agreement or other written
5 data-sharing instrument, the secretary for children and families shall
6 comply with a written data request from the United States department of
7 agriculture and release such requested data to the United States
8 department of agriculture within 30 days of receipt of such written data
9 request.

10 (f) Upon receipt of a written request from the United States
11 department of health and human services, the secretary of health and
12 environment shall respond fully and timely to such request by executing a
13 memorandum of understanding, data use agreement or any other written
14 data-sharing instrument with the United States department of health and
15 human services as necessary to obtain, exchange or transmit any
16 information required. Pursuant to such memorandum of understanding,
17 data use agreement or other written data-sharing instrument, the secretary
18 of health and environment shall comply with a written data request from
19 the United States department of health and human services and release
20 such requested data to the United States department of health and human
21 services within 30 days of receipt of such written data request.

22 Sec. 2. K.S.A. 39-760 is hereby repealed.

23 Sec. 3. This act shall take effect and be in force from and after its
24 publication in the Kansas register.