

## 2021 Kansas Statutes

**39-1903. Disability and behavioral health services section; administered by secretary for aging and disability services; programs transferred.** (a) The disability and behavioral health services section of the Kansas department for children and families is hereby transferred to the Kansas department for aging and disability services and shall be a part thereof. The disability and behavioral health services section transferred to the Kansas department for aging and disability services by K.S.A. 39-1901 through 39-1914, and amendments thereto, shall be administered by the secretary for aging and disability services.

The programs to be transferred by this section are:

- (1) Mental health and substance abuse, serious emotionally disturbed, developmental disability, physical disability, traumatic brain injury, autism, technology assistance and money-follows-the-person medicaid waivers and programs;
- (2) licensure and regulation of community mental health centers, as defined by K.S.A. 39-2002, and amendments thereto;
- (3) regulation of community developmental disability organizations pursuant to K.S.A. 39-2001 et seq., and amendments thereto;
- (4) licensure of private psychiatric hospitals pursuant to K.S.A. 39-2001 et seq., and amendments thereto;
- (5) licensure and regulation of facilities and providers of residential services pursuant to K.S.A. 39-2001 et seq., and amendments thereto;
- (6) licensure and regulation of providers of addiction and prevention services, as defined by K.S.A. 75-5375 et seq., and amendments thereto; and
- (7) any other programs and related grants administered by the disability and behavioral health services section of the Kansas department for children and families prior to the effective date of K.S.A. 39-1901 through 39-1914, and amendments thereto.

(b) Except as otherwise provided by K.S.A. 39-1901 through 39-1914, and amendments thereto, all powers, duties and functions of the secretary for children and families pertaining to the disability and behavioral health services section transferred by K.S.A. 39-1901 through 39-1914, and amendments thereto, including that agency's designation as the medicaid single state authority for substance abuse and for mental health, are hereby transferred to and imposed upon the secretary for aging and disability services.

(c) The Kansas department for aging and disability services shall be the successor in every way to the powers, duties and functions of the Kansas department for children and families pertaining to the disability and behavioral health services section transferred by K.S.A. 39-1901 through 39-1914, and amendments thereto. Every act performed in the exercise of such transferred powers, duties and functions by or under the authority of the Kansas department for aging and disability services shall be deemed to have the same force and effect as if performed by the Kansas department for children and families in which such powers, duties and functions were vested prior to the effective date of K.S.A. 39-1901 through 39-1914, and amendments thereto.

**History:** Executive Reorganization Order No. 41, § 3; L. 2012, ch. 185, § 3; L. 2018, ch. 71, § 11; July 1.