

## 2012 Kansas Statutes

**75-7411. Contracts with state and local government agencies; delegation, exceptions.** 75-7411. (a) Subject to the limitations of subsection (b), the department of health and environment may enter into a contract with one or more state agencies or local governmental entities providing for the state agency or local governmental entity to perform services for the division of health policy and finance or delegating to the state agency or local governmental entity the administration of certain functions, services or programs under any of the programs for which the department of health and environment is responsible.

(b) With respect to any plan or program that is subject to or financed in part under the federal social security act, 42 U.S.C. § 1396 et seq., and amendments thereto, the authority of the department of health and environment to exercise administrative discretion in the administration or supervision of the plan or program and to issue policies and to adopt rules and regulations on plan or program matters shall not be delegated by the secretary of health and environment, other than to officials and employees of the department of health and environment. To the extent that the secretary of health and environment enters into a contract with a state agency or local governmental entity under this section, the other state agency or the local governmental entity shall not have the authority to change or disapprove any administrative decision of the department of health and environment or to otherwise substitute its judgment for that of the department of health and environment with respect to the application of policies issued or rules and regulations adopted by the department of health and environment for any plan or program that is subject to or financed in part under the federal social security act, 42 U.S.C. § 1396 et seq., and amendments thereto.

**History:** L. 2005, ch. 187, § 12; L. 2005, ch. 187, § 44; L. 2012, ch. 102, § 42; July 1.