AN ACT concerning social and rehabilitative institutions; relating to
appointment of superintendents, physicians, employees and staff;
classification under the Kansas civil service act; amending K.S.A. 76-
12a02, 76-12a03, 76-12a04 and 76-12a05 and K.S.A. 2015 Supp. 76-
12a01 and repealing the existing sections.

Be it enacted by the Legislature of the State of Kansas:
Section 1. K.S.A. 2015 Supp. 76-12a01 is hereby amended to read as
follows: 76-12a01. As used in this act, unless the context otherwise
requires:
   (a) "Secretary" means the secretary for aging and disability services.
   (b) "Institution" means the following institutions: Osawatomie state
   hospital, Rainbow mental health facility, Larned state hospital, Parsons
   state hospital and training center, and Kansas neurological institute.
   (c) "Director" or "commissioner" means the commissioner of
   community services and programs or the commissioner of mental health
   and developmental disabilities.

Sec. 2. K.S.A. 76-12a02 is hereby amended to read as follows: 76-
12a02. (a) The—commissioner—shall secretary may appoint the
superintendent of each institution. Such superintendents appointed by the
secretary shall be in the unclassified service of the Kansas civil service
act. Any such superintendent may be removed at any time by the
commissioner secretary. Each superintendent shall receive an annual
salary fixed by the commissioner, with the approval of the secretary and
the state finance council. The commissioner secretary may appoint an
acting superintendent for any institution to serve temporarily until a
vacancy is filled. Acting superintendents shall have the same powers,
duties and functions as superintendents.
   (b) On and after July 1, 2016, any superintendent appointed by a
person, entity or organization under contract with the secretary shall not
receive a classification of service under the Kansas civil service act.

Sec. 3. K.S.A. 76-12a03 is hereby amended to read as follows: 76-
12a03. (a) The secretary, director or the director's authorized
designee may appoint all of the physicians of all of the institutions. All
such physicians appointed by the secretary, director or the director's
authorized designee, shall be in the unclassified service of the Kansas civil
service act, and shall receive annual salaries fixed by the director with the approval of the state finance council. The institution's director, or the director's authorized designee, shall make all assignments and reassignments of physicians to institutions. Any such physician may be removed at any time by the institution's director, or the director's authorized designee.

(b) On and after July 1, 2016, any physician appointed by a person, entity or organization under contract with the secretary shall not receive a classification of service under the Kansas civil service act.

Sec. 4. K.S.A. 76-12a04 is hereby amended to read as follows: 76-12a04. (a) The secretary, director or the director's authorized designee shall appoint all staff and other institution and commission personnel of the division of mental health and developmental disabilities who are not assigned to a particular institution. Prior to July 1, 2016, all such staff and other personnel so appointed shall be in the classified service of the Kansas civil service act, and on and after July 1, 2016, any staff and other personnel newly appointed shall be in the unclassified service of the Kansas civil service act, except as is otherwise provided by law for certain special project personnel and as provided in K.S.A. 75-2935 and amendments thereto or any other statute. Nothing in this section shall affect the classification of service under the Kansas civil service act for any staff and other personnel appointed prior to July 1, 2016.

(b) On and after July 1, 2016, any staff and other personnel appointed by a person, entity or organization under contract with the secretary shall not receive a classification of service under the Kansas civil service act.

Sec. 5. K.S.A. 76-12a05 is hereby amended to read as follows: 76-12a05. (a) Employees of each institution, except physicians, may be appointed by the superintendent of the institution. Prior to July 1, 2016, all employees so appointed by the superintendent shall be in the classified service of the Kansas civil service act, and on and after July 1, 2016, all employees newly appointed by the superintendent shall be in the unclassified service of the Kansas civil service act, except patient help who shall be in the unclassified service of Kansas civil service act and as provided in K.S.A. 75-2935, and amendments thereto, or any other statute. Special project employees shall be appointed and serve as provided in K.S.A. 76-12a08, and amendments thereto. Nothing in this section shall affect the classification of service under the Kansas civil service act for any staff and other personnel appointed prior to July 1, 2016.

(b) On and after July 1, 2016, any employees appointed by a person, entity or organization under contract with the secretary shall not receive a classification of service under the Kansas civil service act.

Sec. 6. K.S.A. 76-12a02, 76-12a03, 76-12a04 and 76-12a05 and
K.S.A. 2015 Supp. 76-12a01 are hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its publication in the statute book.