

65-4415. Administration, powers and duties of secretary; duplication of programs, effect; consultative services for community facilities; over- and under-payments. (a) The secretary upon determination that a program included in the proposed budget of a community facility for people with intellectual disability: (1) Is a new program not included in previous budgets of such community center for people with intellectual disability; and (2) duplicates an existing program which is adequately serving the geographic area served by such community facility for people with intellectual disability, may subtract the full-time equivalent clients served by the program from the total full-time equivalent computation for purposes of granting financial assistance under the Kansas community facilities for people with intellectual disability assistance act or may require such community facility for people with intellectual disability to purchase the service from or otherwise cooperate with such other program.

(b) The secretary shall administer the provisions of the Kansas community facilities for people with intellectual disability assistance act. In administering the provisions of the Kansas community facilities for people with intellectual disability assistance act, the secretary shall review the budgets and expenditures of the facilities, from time to time during the fiscal year, and may withdraw funds from any facility which is not being administered substantially in accordance with the provisions of the annual budget submitted to the secretary.

(c) The secretary shall provide consultative staff service to community facilities for people with intellectual disability to assist in ascertaining local needs, in obtaining federal funds and assistance and in the delivery of services for people with intellectual disability at the local level.

(d) In the event any community facility for people with intellectual disability is paid more than it is entitled to receive under any distribution made under the Kansas community facilities for people with intellectual disability assistance act, the secretary shall notify the governing board of the community facility for people with intellectual disability of the amount of such overpayment, and such governing board shall remit the same to the secretary. The secretary shall remit any moneys so received to the state treasurer in accordance with the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of each such remittance, the state treasurer shall deposit the entire amount in the state treasury to the credit of the state general fund. If any such governing board fails so to remit, the secretary shall deduct the excess amount so paid from future payments becoming due to such community facility for people with intellectual disability.

(e) In the event any community facility for people with intellectual disability is paid less than the amount to which it is entitled under any distribution made under the Kansas community facilities for people with intellectual disability assistance act, the secretary shall pay the additional amount due at any time within the fiscal year in which the underpayment was made or within 60 days after the end of such year.

History: L. 1986, ch. 245, § 5; L. 2001, ch. 5, § 256; L. 2012, ch. 91, § 50; July 1.