

Disapproval of ERO No. 44, Merging Certain Agencies; HR 6032

HR 6032 disapproves Executive Reorganization Order (ERO) No. 44, which was issued by the Governor on January 30, 2020.

ERO 44 would have merged the Kansas Department for Aging and Disability Services (KDADS), Juvenile Services from the Department of Corrections (DOC) and oversight of the Kansas Juvenile Correctional Complex, and the Department for Children and Families (DCF), and renamed this agency the Kansas Department of Human Services (DHS), effective July 1, 2020.

This merger would have transferred to and imposed upon DHS and the Secretary of Human Services all jurisdiction, powers, functions, and duties from DCF, KDADS, Juvenile Services, and oversight of the Juvenile Correctional Complex, as well as all the jurisdiction, powers, functions, and duties for which these agencies are serving as the operating agency or grants manager for another agency.

The ERO stated whenever the secretaries of, or names of, these agencies, or predecessor agencies—the Department of Social and Rehabilitation Services, Department on Aging, and the Juvenile Justice Authority—are referred to or designated by any statute, rule and regulation, contract, or other document, such reference should be deemed to apply to DHS. The ERO further stated DHS would be the successor to the powers, duties, and functions of these agencies, and any potential remaining rights, titles, or interest belonging to the Department of Social and Rehabilitation Services, Department on Aging, and Juvenile Justice Authority in real property. Actions performed by DHS would have had the same force and effect as if performed by the above entities, in which the same powers, duties, and functions were vested prior to July 1, 2020.

The ERO would have transferred to DHS from DCF, KDADS, and DOC the following: rules and regulations authority; fees, funds, grant funds, advisory group funds, loan repayment funds, and account balances; property and property rights; liability; and liability for accrued compensation or salaries of personnel, including officers and employees, except the right, title, and interest of Larned Juvenile Correctional Facility and funds related to its maintenance and management.