

2021 Kansas Statutes

39-1911. Kansas department for aging and disability services; licensure and certification of certain persons, maintenance of certain programs; appointment and transfer of officers and employees; rights and benefits preserved. (a) The secretary for aging and disability services shall appoint such officers and employees as may be needed to carry out the powers and duties which the secretary assigns to the licensure of adult care home administrators, the licensure of dietitians, the certification of residential care facility operators, the certification of activity directors, the certification of social service designees, the certification of nurse aides, the certification of medication aides, the certification of home health aides, the maintenance of the Kansas nurse aide registry programs, the criminal history record check program and the psychiatric residential treatment facility licensure program of the Kansas department for aging and disability services.

(b) All officers and employees in the department of health and environment who, immediately prior to the effective date of K.S.A. 39-1901 through 39-1914, and amendments thereto, were engaged in the exercise and performance of the powers, duties and functions transferred by K.S.A. 39-1901 through 39-1914, and amendments thereto, and who are determined by the secretary for aging and disability services to be necessary for the exercise and performance of such powers, duties and functions transferred by K.S.A. 39-1901 through 39-1914, and amendments thereto, are hereby transferred to the Kansas department for aging and disability services. In addition, all officers and employees who are determined jointly by the secretary for aging and disability services and the secretary of health and environment to have been engaged in providing necessary administrative, technical or other support to the transferred programs are hereby transferred to the Kansas department for aging and disability services. All classified employees so transferred shall retain their status as classified employees. Thereafter, the secretary for aging and disability services may convert vacant classified positions to positions in the unclassified service under the Kansas civil service act.

(c) Officers and employees in the department of health and environment transferred by K.S.A. 39-1901 through 39-1914, and amendments thereto, shall retain all retirement benefits and leave balances and rights which had accrued or vested prior to the date of transfer. The service of each such employee so transferred shall be deemed to have been continuous. Any subsequent transfers, layoffs or abolition of classified service positions under the Kansas civil service act shall be made in accordance with the civil service laws and any rules and regulations adopted thereunder. Nothing in K.S.A. 39-1901 through 39-1914, and amendments thereto, shall affect the classified status of any transferred person employed by the department of health and environment prior to the date of transfer.

(d) Notwithstanding the effective date of K.S.A. 39-1901 through 39-1914, and amendments thereto, the provisions of this section prescribing the transfer of officers and employees from the department of health and environment to the Kansas department for aging and disability services shall be administered so that the date of transfer of such personnel shall be the start of a payroll period.

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