



**Kansas Legislative Research Department**

*Providing nonpartisan, objective research and fiscal  
analysis for the Kansas Legislature since 1934*

68-West-Statehouse | 300 SW 10th Ave. | Topeka, Kansas 66612-1504  
(785) 296-3181

[kslegres@klrd.ks.gov](mailto:kslegres@klrd.ks.gov)

[kslegislature.org/klrd](http://kslegislature.org/klrd)

March 22, 2022

**To:** Kansas Legislature

**From:** Jill Shelley, Principal Research Analyst

**Re:** Report of the March 14, 2022, Meeting of the Joint Committee on Administrative Rules and Regulations

With this report, the Joint Committee on Administrative Rules and Regulations (Committee) provides its comments on rules and regulations reviewed at its meeting of March 14, 2022. Agencies are asked to respond to each comment or request for information; responses are compiled and maintained by staff of the Kansas Legislative Research Department.

#### **State Bank Commissioner**

KAR 17-11-18, loans; documentation requirements.

The Committee asks how the threshold amount of \$250,000 was chosen.

The Committee requests additional information regarding the effects of this rule and regulation change on title companies, noting the agency states in its Economic Impact Statement that it has sought assistance from the Kansas Land Title Association in estimating such effect and refers to "significant losses of income from the lack of title insurance and opinion requests."

#### **Kansas Department of Agriculture, Division of Animal Health**

KAR 9-2-36, official calfhood vaccination tag; fees.

The Committee had no comments.

#### **Kansas Department of Agriculture**

KAR 4-7-804, schedule of fees for nonregulatory laboratory work.

The Committee had no comments.

## **Kansas Department of Health and Environment**

The Committee asks why the agency continues to require remote public participation in public hearings on proposed rules and regulations and suggests in-person hearings would allow more opportunity for public participation.

KAR 28-17-6, fees for copies, abstracts, and searches; KAR 28-17-12, delayed certificates of birth or foreign-born certificate; filing fee.

The Committee requests information on the requirement and the deadline given to the agency to move these records to vendor-hosted cloud storage or state-hosted data centers. The Committee notes it will request additional information from the Secretary of Administration regarding storage of confidential records.

Home Health Agency Licensure: KAR 28-51-100, definitions; KAR 28-51-101, licensing procedure; KAR 28-51-102, revoked (was license fee); KAR 28-51-103, organization and administration; KAR 28-51-104, home health services, HCBS, and supportive care services; KAR 28-51-105, nursing services; KAR 28-51-106, therapy services; KAR 28-51-107, social services; KAR 28-51-109, nutritional and dietary consultation; KAR 28-51-110, clinical records and client records; KAR 28-51-111, patients' and clients' bill of rights; KAR 28-51-112, home health aide training; state test; KAR 28-51-113, home health aide qualifications; KAR 28-51-117, supportive care services; KAR 28-51-118, HCBS.

The Committee requests information on the number of home health agencies in Kansas, by category.

The Committee notes the extensive changes proposed in these rules and regulations and that provisions regarding supportive care services were added to Kansas law in 2017 SB 154. It asks whether these extensive changes are necessary, given that the agencies have been working with the current rules and regulations for some time. The Committee recommends the agency not proceed with these rules and regulations before review of the proposed rules and regulations with home health agencies and a determination of the effects of the fees on home health agencies and specifically on supportive care service providers.