

HOUSE BILL No. 2650

By Committee on Government Efficiency

2-7

1 AN ACT concerning the executive branch chief information technology  
 2 officer; relating to duties; renaming the division of information systems  
 3 and communications; amending K.S.A. 48-937, 65-6138, 65-6139, 65-  
 4 6140, 74-9302, 74-9303, 74-9306, 74-9605, 75-37,102, 75-4701, 75-  
 5 4702, 75-4702c, 75-4704, 75-4704b, 75-4705, 75-4710, 75-4712, 75-  
 6 4713, 75-4714, 75-4715, 75-4716, 75-6512 and 76-389 and K.S.A.  
 7 2011 Supp. 46-1503, 74-9304; 75-3707e, 75-4703, 75-4704a, 75-4709,  
 8 75-7202, 75-7204, 75-7205 and 75-7224 and repealing the existing  
 9 sections.

10 *Be it enacted by the Legislature of the State of Kansas:*

11 New Section 1. [The executive chief information technology officer  
 12 shall submit to the governor proposed rules and regulations with respect to  
 13 the manner of performance of any power or duty of the office of  
 14 information technology services, the execution of any business of such  
 15 office and its relations to and business with other state agencies, appeals  
 16 from the final decisions or final actions of the executive chief information  
 17 technology officer, and such other matters as are provided by law. Before  
 18 any such proposed rules and regulations are submitted to the governor, the  
 19 same shall have received the approval required by K.S.A. 77-420, and  
 20 amendments thereto, the attorney general shall have made the finding  
 21 required by K.S.A. 77-420, and amendments thereto, and the executive  
 22 chief information technology officer shall have held the hearing thereon  
 23 required by K.S.A. 77-421, and amendments thereto. The governor shall  
 24 either approve, modify and approve or reject any such proposed rules and  
 25 regulations. The executive chief information technology officer shall adopt  
 26 such rules and regulations so approved or so modified and approved by the  
 27 governor.

28 Sec. 2. K.S.A. 2011 Supp. 46-1503 is hereby amended to read as  
 29 follows: 46-1503. (a) The revisor of statutes shall contract in the name of  
 30 the legislative coordinating council, and with approval of such council, for  
 31 such computer programs and other computer services as cannot be suitably  
 32 obtained from state agencies, and in like manner, the revisor shall acquire  
 33 such computer and communications components as may be needed for this  
 34 system. Purchases and other contracts authorized by the statutes contained  
 35 in article 15 of chapter 46 of Kansas Statutes Annotated shall not be  
 36

Office of Information Technology Services  
 Balloon Amendment  
 Updated by Renae Jefferies and Jim Wilson,  
 Office of Revisor of Statutes  
 February 20, 2012

transferring certain powers, duties and functions of the director of  
 information systems and communications,

and the secretary of administration to the executive branch chief  
 information technology officer and the office of information  
 technology services

(a)

(b) All rules and regulations, orders and directives of the secretary  
 of administration, the department of administration, the director of  
 information systems and communications, or the division of  
 information systems and communications which relate to the  
 powers, duties and functions transferred from the director of  
 information systems and communications and the division of  
 information systems and communications of the department of  
 administration to the executive chief information technology  
 officer and office of information technology services by this act shall  
 and which are in effect on the effective date of this act shall  
 continue to be effective and shall be deemed to be rules and  
 regulations, orders and directives of the executive chief  
 information technology officer and office of information  
 technology services until revised, amended, revoked or nullified  
 pursuant to law

1 subject to K.S.A. 75-3739, and amendments thereto, nor shall the same be  
2 subject to approval under any statute other than those contained in article  
3 15 of chapter 46. ~~The director of information systems and communications~~  
4 ~~executive chief information technology officer~~ and the director of  
5 purchases shall render such assistance in implementation of this system as  
6 is requested by the legislative coordinating council or the revisor of  
7 statutes.

8 (b) When authorized by the legislative coordinating council, the  
9 revisor of statutes may provide to or share with any other state agency  
10 computer services through the operation of the comprehensive legislative  
11 information system. Such services may be provided without charge or,  
12 when directed by the council, shall be provided at cost as the same is  
13 determined by the council. The furnishing of computer services under this  
14 subsection (b) for which a charge is made shall be a transaction to be  
15 settled in accordance with the provisions of K.S.A. 75-5516, and  
16 amendments thereto. All receipts for charges made under this subsection  
17 (b) shall be remitted to the state treasurer in accordance with the  
18 provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt of  
19 each such remittance, the state treasurer shall deposit the entire amount in  
20 the state treasury to the credit of the legislative special revenue fund.

21 (c) When authorized by the legislative coordinating council, the  
22 revisor of statutes may provide information regarding legislation to state  
23 agencies and to private individuals, companies and organizations through  
24 access to the legislative information system. The primary purpose for the  
25 legislative information system shall be to provide necessary information  
26 and service to the legislature and offices of the legislative branch of  
27 government and the revisor of statutes shall impose such conditions and  
28 restrictions upon the receipt of information from such system by agencies,  
29 persons and organizations not a part of the legislative branch of  
30 government as may be necessary to protect such system and services for  
31 the purpose for which established. The legislative coordinating council  
32 may fix a charge for the receipt of information regarding legislation  
33 through access to the legislative information system by state agencies,  
34 private individuals, companies and organizations not a part of the  
35 legislative branch of government. Such charges shall be collected by the  
36 director of legislative administrative services upon certification by the  
37 revisor of statutes. All amounts received from charges imposed pursuant to  
38 this subsection shall be remitted to the state treasurer in accordance with  
39 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt  
40 of each such remittance, the state treasurer shall deposit the entire amount  
41 in the state treasury to the credit of the legislative special revenue fund.  
42 Sec. 3. K.S.A. 48-937 is hereby amended to read as follows: 48-937.  
43 The division of emergency management shall ascertain what means exist

1 for rapid and efficient communications during a disaster. The division of  
2 emergency management shall consider the desirability of supplementing  
3 these communications resources or of integrating them into a  
4 comprehensive state or state and federal telecommunications or other  
5 communications system which may be established for purposes of  
6 emergency management. In studying the character and feasibility of any  
7 such system or its several parts, the division of emergency management  
8 shall consult thereon with the secretary of administration ~~and the executive~~  
9 ~~chief information technology officer~~ and evaluate the possibility of the  
10 multi-purpose use of such a system for general state and local government  
11 purposes. The division of emergency management shall make  
12 recommendations regarding such communications systems to the governor  
13 as appropriate.

14 Sec. 4. K.S.A. 65-6138 is hereby amended to read as follows: 65-  
15 6138. In order to provide adequate emergency medical care for the people  
16 of this state, the emergency medical services board is hereby authorized to  
17 establish, maintain, and operate an emergency medical services  
18 communications system, subject to approval by the ~~secretary of~~  
19 ~~administration executive chief information technology officer~~ under K.S.A.  
20 75-4709, and amendments thereto. The emergency medical services board  
21 shall establish communication centers, to be known as medical  
22 communications centers, in various locations in the state to be determined  
23 by the emergency medical services board, for the purposes of receiving  
24 requests for emergency medical assistance and for coordinating the  
25 activities of ambulances with medical care facilities and other emergency  
26 public safety agencies. Subject to approval by the ~~secretary of~~  
27 ~~administration executive chief information technology officer~~ under K.S.A.  
28 75-4709, and amendments thereto, the emergency medical services board  
29 may provide mobile radio units to ambulance services, as hereinafter  
30 provided, which will provide such ambulance services with direct  
31 communication to or from medical communication centers established for  
32 such purpose.

33 Sec. 5. K.S.A. 65-6139 is hereby amended to read as follows: 65-  
34 6139. For the purpose of establishing, operating and maintaining the  
35 emergency medical services communications system, the board may enter  
36 into contracts with any state agency, and any such agency is authorized to  
37 contract for such purpose with the board. The board also may enter into  
38 contracts or other agreements with any city, county, township, fire district  
39 or hospital district, or any person, firm or corporation for the establishment  
40 of an emergency medical services communications system or the  
41 establishment or operation of any part thereof including placement,  
42 operation and maintenance of equipment. In accordance with the authority  
43 of the ~~secretary of administration executive chief information technology~~

1 *officer* under K.S.A. 75-4709, and amendments thereto, all contracts  
2 entered into by the board under this section shall be subject to approval by  
3 ~~the secretary of administration executive chief information technology~~  
4 ~~officer.~~

5 Any contract or agreement for the placement or operation of equipment  
6 with any ambulance service shall provide that the person, firm, corporation  
7 or municipality operating such ambulance service shall maintain such  
8 equipment in accordance with terms and conditions established by the  
9 board. The contracts, agreements or contracts for the placement of  
10 equipment in medical communication centers shall provide that such  
11 equipment shall only be used for the purpose of operating the emergency  
12 medical services communications system and that the board or the board's  
13 designated agent may inspect such equipment at any time. Ownership of  
14 any such equipment shall remain with the state and any contracts for the  
15 placement of such equipment may be withdrawn or canceled at any time,  
16 at the option of the board and the ~~secretary of administration executive~~  
17 ~~chief information technology officer~~ under K.S.A. 75-4709, and  
18 amendments thereto.

19 Sec. 6. K.S.A. 65-6140 is hereby amended to read as follows: 65-  
20 6140. For the purposes of establishing, operating and maintaining an  
21 emergency medical services communications system, the emergency  
22 medical services board may accept any grant of money or property,  
23 including any federal moneys available therefor. Within the limits of  
24 appropriations available therefor and subject to approval by the ~~secretary~~  
25 ~~of administration executive chief information technology officer~~ under  
26 K.S.A. 75-4709, and amendments thereto, the emergency medical services  
27 board may acquire, in the name of the state, any equipment necessary for  
28 such communications system.

29 Sec. 7. K.S.A. 74-9302 is hereby amended to read as follows: 74-  
30 9302. It shall be the purpose of INK to perform the following duties:

31 (a) Provide electronic access for members of the public to public  
32 information of agencies via a gateway service;  
33 (b) develop a dial-in gateway or electronic network for access to  
34 public information;

35 (c) provide appropriate oversight of any network manager;

36 (d) explore ways and means of expanding the amount and kind of  
37 public information provided, increasing the utility of the public  
38 information provided and the form in which provided, expanding the base  
39 of users who access such public information and, where appropriate,  
40 implementing such changes;

41 (e) cooperate with the ~~division of information systems and~~  
42 ~~communications office of information technology services~~ in seeking to  
43 achieve the purposes of INK;

- 1 (f) explore technological ways and means of improving citizen and
- 2 business access to public information and, where appropriate, implement
- 3 such technological improvements; and
- 4 (g) explore options of expanding such network and its services to
- 5 citizens and businesses by providing add-on services such as access to
- 6 other for-profit information and databases and by providing electronic mail
- 7 and calendaring to subscribers.
- 8 Sec. 8. K.S.A. 74-9303 is hereby amended to read as follows: 74-
- 9 9303. (a) There is hereby created a body politic and corporate to be known
- 10 as the information network of Kansas, Inc. INK is hereby constituted as a
- 11 public instrumentality and the exercise by INK of the authority and powers
- 12 conferred by this act shall be deemed and held to be the performance of an
- 13 essential governmental function.
- 14 (b) INK shall be governed by a board consisting of ~~10~~ nine members
- 15 as follows:
- 16 (1) ~~The president of Kansas, Inc.;~~
- 17 (2) The secretary of state;
- 18 (3) two members who are chief executive officers of agencies of
- 19 the executive branch, appointed by the governor who shall serve at the
- 20 pleasure of the governor;
- 21 (4) (3) one member appointed by the governor from a list of three
- 22 Kansas bar association members submitted by such association. Such
- 23 member shall serve a three-year term;
- 24 (5) (4) three members from other user associations of a statewide
- 25 character appointed by the governor from a list of not less than nine
- 26 individuals and their respective user associations compiled ~~initially by the~~
- 27 ~~president of Kansas, Inc. and thereafter~~ by the board of INK and submitted
- 28 to the governor. No two members appointed pursuant to this paragraph
- 29 shall represent the same user association. The terms for such members
- 30 shall be for a period of three years, except initially, when the terms shall be
- 31 for one, two and three years, respectively;
- 32 (6) (5) one member appointed by the governor from a list submitted
- 33 by the president of the Kansas public libraries association and comprised
- 34 of three librarians employed by public libraries. Following the initial
- 35 appointment hereunder, such list shall be comprised of librarians of public
- 36 libraries which subscribe to INK. Such member shall serve a three-year
- 37 term; and
- 38 (7) (6) the ~~director of information systems and communications~~
- 39 ~~executive chief information technology officer~~ who shall serve as a
- 40 nonvoting member.
- 41 (c) The board shall annually elect one member from the board as
- 42 chairperson of INK, another as vice-chairperson and another as secretary.
- 43 (d) Five members of the board shall constitute a quorum and the

1 affirmative vote of five members shall be necessary for any action taken  
2 by the board. No vacancy in the membership of the board shall impair the  
3 right of a quorum to exercise all the rights and perform all the duties of the  
4 board.

5 Sec. 9. K.S.A. 2011 Supp. 74-9304 is hereby amended to read as  
6 follows: 74-9304. (a) In order to achieve its purpose as provided in this  
7 act, INK shall:

8 (1) Serve in an advisory capacity to the secretary of administration,  
9 ~~division of information services and communications office of information~~  
10 ~~technology services~~ and other state agencies regarding the provision of  
11 state data to the citizens and businesses of Kansas;

12 (2) seek advice from the general public, its subscribers, professional  
13 associations, academic groups and institutions and individuals with  
14 knowledge of and interest in areas of networking, electronic mail, public  
15 information access, gateway services, add-on services and electronic filing  
16 of information; and

17 (3) develop charges for the services provided to subscribers, which  
18 include the actual costs of providing such services.

19 (b) All state agencies shall cooperate with INK in providing such  
20 assistance as may be requested for the achievement of its purpose.  
21 Agencies may recover actual costs incurred by providing such assistance.  
22 Services and information to be provided by any agency shall be specified  
23 pursuant to contract between INK and such agency and shall comply with  
24 the provisions of K.S.A. 45-215 *et seq.* and K.S.A. 2011 Supp. 45-230,  
25 and amendments thereto.

26 Sec. 10. K.S.A. 74-9605 is hereby amended to read as follows: 74-  
27 9605. (a) The board of directors of the Kansas guardianship program shall  
28 employ a person to serve as executive director who shall direct and  
29 supervise the general management of the corporation. The executive  
30 director shall employ persons needed to perform duties of the Kansas  
31 guardianship program as directed by the board of directors.

32 (b) Employees of the Kansas guardianship program shall not be  
33 considered to be state employees except that such employees may  
34 participate in the Kansas public employees retirement system. Employees  
35 of the Kansas guardianship program shall not be considered to be state  
36 employees, except for the purposes specified in this subsection (b). The  
37 ~~secretary of administration executive chief information technology officer~~  
38 shall extend the use of state intercity telecommunications facilities and  
39 services under control of the ~~secretary executive chief information~~  
40 ~~technology officer~~ pursuant to K.S.A. 75-4709, and amendments thereto,  
41 to the Kansas guardianship program. The Kansas guardianship program  
42 shall be considered to be a state agency only for the purposes specified in  
43 this subsection.

1 (c) The provisions of article 32 of chapter 75 of the Kansas Statutes  
2 annotated, ~~any acts amendatory thereof or supplement thereto and amendments~~  
3 thereto, and any rules and regulations adopted thereunder, shall not apply  
4 to officers or employees of the Kansas guardianship program. Subject to  
5 policies established by the Kansas guardianship program, the chairperson  
6 of the board of directors or the chairperson's designee shall approve all  
7 travel and travel expenses of such officers and employees.

8 Sec. 11. K.S.A. 2011 Supp. 75-3707e is hereby amended to read as  
9 follows: 75-3707e. As the infrastructure provider for information  
10 technology for the state of Kansas, the department of administration office  
11 of information technology services must insure the highest level of  
12 information security and privacy in order to protect law enforcement, state  
13 agencies and the citizens of Kansas. Toward this objective, the department  
14 of administration or the office of information technology services shall  
15 require as a condition of employment that individuals who have  
16 unescorted physical access to the data center, telecommunications facilities  
17 and other security sensitive areas as designated by the secretary of  
18 administration or the executive chief information technology officer be  
19 fingerprinted, and such fingerprints shall be submitted to the Kansas  
20 bureau of investigation and to the federal bureau of investigation for the  
21 purposes of verifying the identity of such individuals and obtaining  
22 records of criminal arrests and convictions.

23 Sec. 12. K.S.A. 75-37,102 is hereby amended to read as follows: 75-  
24 37,102. (a) Upon request of the chief administrative officer of a state  
25 agency and subject to the approval of the secretary of administration, the  
26 director of purchases may convene a procurement negotiating committee  
27 to obtain services or technical products for the state agency.

28 (b) Each procurement negotiating committee shall be composed of:  
29 (1) The director of purchases, or a person designated by the director; (2)  
30 the chief administrative officer of the state agency desiring to make the  
31 procurement, or a person designated by the officer; and (3) the secretary of  
32 administration, or a person designated by the secretary or, if a procurement  
33 involves information technology or services, the executive chief  
34 information technology officer or a person designated by the executive  
35 chief information technology officer.

36 (c) The negotiating committee is authorized to negotiate for the  
37 procuring state agency contracts with qualified parties to provide services  
38 or technical products needed by the state agency.

39 (d) Prior to negotiating for the procurement, a notice to bidders first  
40 shall be published in the Kansas register. Upon receipt of bids or  
41 proposals, the committee may negotiate with one or more of the firms  
42 submitting bids or proposals and select from among those submitting such  
43 bids or proposals the party to contract with to provide the services or

1 technical products.

2 (e) Contracts entered into pursuant to this section shall not be subject  
3 to the provisions of K.S.A. 75-3738 through 75-3740a, and amendments  
4 thereto. Meetings to conduct negotiations pursuant to this section shall not  
5 be subject to the provisions of K.S.A. 75-4317 through 75-4320a, and  
6 amendments thereto. The director of purchases shall submit a report at  
7 least once in each calendar quarter to the legislative coordinating council  
8 and the chairpersons of the senate committee on ways and means and the  
9 house of representatives committee on appropriations of all contracts  
10 entered into pursuant to this section. In the event that the negotiating  
11 committee selects a bid which is not the lowest bid on a given contract, the  
12 directors report shall contain a rationale explaining why the lowest bidder  
13 was not awarded the contract.

14 (f) Nothing in this section shall be construed as requiring either  
15 negotiations pursuant to this section or bids pursuant to K.S.A. 75-3739,  
16 and amendments thereto, for the procurement of professional services or  
17 services for which, in the judgment of the director of purchases,  
18 meaningful specifications cannot be determined.

19 Sec. 13. K.S.A. 75-4701 is hereby amended to read as follows: 75-  
20 4701. (a) There is hereby established, within and as a part of the  
21 department of administration, a division of information systems and  
22 communications, the head of which shall be the director of information  
23 systems and communications an office of information technology services,  
24 the head of which shall be the executive chief information technology  
25 officer. The executive chief information officer shall administer  
26 the office of information technology services. Under the supervision of the  
27 secretary of administration, the director of information systems and  
28 communications shall administer the division of information systems and  
29 communications. The division of information systems and computing and  
30 the office of the director of information systems and computing created by  
31 this section prior to its amendment by this act, are hereby abolished.

32 (b) The director of information systems and communications  
33 executive chief information technology officer shall be in the unclassified  
34 service under the Kansas civil service act and shall be appointed by the  
35 secretary of administration governor.

36 (c) There are hereby established, within the division of information  
37 systems and communications office of information technology services, the  
38 offices of the deputy director of information systems and the deputy  
39 director of telecommunications who shall be appointed by the director of  
40 information systems and communications, subject to approval by the  
41 secretary of administration, executive chief information technology officer  
42 and shall be in the unclassified service under the Kansas civil service act.  
43 The deputy director of information systems and the deputy director of

communications

communications



1 telecommunications shall have such powers, duties and functions as are  
2 prescribed by the director of information systems and communications  
3 executive chief information technology officer.

4 Sec. 14. K.S.A. 75-4702 is hereby amended to read as follows: 75-

5 4702. (a) All of the powers, duties and functions of the existing director of  
6 information systems and computing and division of information systems  
7 and computing are hereby transferred to and conferred and imposed upon  
8 the director of information systems and communications executive chief  
9 information technology officer, except as otherwise provided by this act.

10 (b) The director of information systems and communications  
11 executive chief information technology officer shall be the successor in  
12 every way to the powers, duties and functions of the director of  
13 information systems and computing and division of information systems  
14 and computing in which the same were vested prior to July 1, 1984, except  
15 as otherwise provided by this act. Every act performed in the exercise of  
16 such powers, duties and functions by or under the authority of the director  
17 of information systems and communications executive chief information  
18 technology officer shall be deemed to have the same force and effect as if  
19 performed by the director of information systems and computing and  
20 division of information systems and computing in which such functions  
21 were vested prior to July 1, 1984.

22 (c) Whenever the director of information systems and computing or  
23 the division of information systems and computing; or the division of  
24 information systems and communications or words of like effect, is  
25 referred to or designated by a statute, contract or other document, such  
26 reference or designation shall be deemed to apply to the director of  
27 information systems and communications executive chief information  
28 technology officer.

29 Sec. 15. K.S.A. 75-4702c is hereby amended to read as follows: 75-

30 4702c. (a) In all cases under this act where the powers, duties and  
31 functions of the division or director of information systems and computing  
32 are transferred to and imposed upon the secretary of administration or the  
33 division of information systems and communications, the  
34 division of information systems and communications office of information  
35 technology services, the executive chief information technology officer  
36 shall succeed to all property and records which were used for, or pertain to,  
37 the performance of the powers, duties and functions so transferred by this  
38 act. Any conflict as to the proper disposition of such property or records  
39 arising under this section and resulting from the transfer or abolishment of  
40 any existing state agency, or the powers, duties and functions thereof, shall  
41 be determined by the governor, whose decision shall be final.

42 (b) When any conflict arises as to the disposition of any power,  
43 function or duty or the unexpended balance of any appropriation as a result

communications

communications

or the director of  
information systems  
and communications,

communications

the effective date of this act

1 of any abolishment, transfer, attachment or other change made by this act,  
2 or under authority of this act, such conflict shall be resolved by the  
3 governor, and the decision of the governor shall be final.

or the act of which this section is amendatory

4 (c) No suit, action, or other proceeding, judicial or administrative,  
5 lawfully commenced, or which could have been commenced, by or against  
6 any existing state agency mentioned in this act, or by or against any officer  
7 of the state in such officer's official capacity or in relation to the discharge  
8 of official duties, shall abate by reason of the taking effect of  
9 reorganization under the provisions of this act. The court may allow any  
10 such suit, action or other proceeding to be maintained by or against the  
11 successor of any such existing state agency, or any officer affected.

, or the act of which this section is amendatory

12 (d) No criminal action commenced or which could have been  
13 commenced by the state shall abate by the taking effect of this act  
14 Sec. 16. K.S.A. 2011 Supp. 75-4703 is hereby amended to read as  
15 follows: 75-4703. The secretary of administration executive chief  
16 information technology officer may adopt rules and regulations as  
17 provided in K.S.A. 75-3706 section 1, and amendments thereto, relating to  
18 the following:

19 (a) Establishment of rates and charges for services performed by the  
20 ~~division of information systems and communications office of information~~  
21 ~~technology services~~ for any other division, department, state agency or  
22 governmental unit. Such rates and charges shall be maintained by a cost  
23 system in accordance with generally accepted accounting principles. In  
24 determining cost rates for billing to agencies or governmental units,  
25 overhead expenses shall include but not be limited to light, heat, power,  
26 insurance, labor and depreciation. Billings shall include direct and indirect  
27 costs and shall be based on the foregoing cost accounting practices.

28 (b) For determination of priorities for services performed by the  
29 ~~division of information systems and communications office of information~~  
30 ~~technology services~~, including authority to decline new projects under  
31 specified conditions.

32 (c) Specification of standards for submission of data to be processed  
33 by the ~~division of information systems and communications office of~~  
34 ~~information technology services~~ and the programs for processing the data,  
35 including authority to decline to process computer programs and projects  
36 not conforming to published standards. Such standards shall be consistent  
37 with the standards and policies adopted by the information technology  
38 executive council under K.S.A. 2011 Supp. 75-7203, and amendments  
39 thereto.

40 (d) Specification of standards and measures relating to security,  
41 confidentiality and availability of data processed by the ~~division of~~  
42 ~~information systems and communications office of information technology~~  
43 ~~services~~. Such standards and measures shall be consistent with the

1 standards and policies adopted by the information technology executive  
2 council under K.S.A. 2011 Supp. 75-7203, and amendments thereto.

3 Sec. 17. K.S.A. 74-9306 is hereby amended to read as follows: 74-  
4 9306. ~~Kansas, Inc. and the division of information services and~~  
5 ~~communications. The office of information technology services shall~~  
6 ~~provide to INK such staff and other assistance as may be requested~~  
7 ~~thereby, and the actual costs of such assistance shall be paid for by INK.~~

8 Sec. 18. K.S.A. 75-4704 is hereby amended to read as follows: 75-  
9 4704. Under the supervision of the secretary of administration, the division  
10 of information systems and communications shall provide data processing  
11 executive chief information technology officer; the office of information  
12 technology services shall provide data processing and application hosting  
13 services for other divisions, departments and agencies of the state, and  
14 shall make charges for such services in accordance with the cost system  
15 established under K.S.A. 75-4703, and amendments thereto. The  
16 furnishing of data processing services by the division of information  
17 systems and communications and application hosting by the office of  
18 information technology services shall be a transaction to be settled in  
19 accordance with the provisions of K.S.A. 75-5516, and amendments  
20 thereto. All receipts for sales of services shall be deposited in the  
21 information technology fund created under K.S.A. 75-4715, and  
22 amendments thereto. The provisions of K.S.A. 75-4215, and amendments  
23 thereto shall apply to the information technology fund to the extent not in  
24 conflict with this act.

25 Sec. 19. K.S.A. 2011 Supp. 75-4704a is hereby amended to read as  
26 follows: 75-4704a. (a) Transfers to the information technology reserve  
27 fund shall be made from the information technology fund on a monthly  
28 basis and the amounts thereof shall be determined by the director of  
29 information systems and communications, subject to approval by the  
30 secretary of administration, as charges for depreciation and obsolescence  
31 of the division of information systems and communications executive chief  
32 information technology officer as charges for depreciation and  
33 obsolescence of the office of information technology services equipment  
34 and programs according to generally accepted accounting principles  
35 prescribed by the director of accounts and reports. All recoveries from the  
36 sale of surplus, obsolete or unused equipment or of other expenditures  
37 from the information technology fund shall be remitted to the state  
38 treasurer in accordance with the provisions of K.S.A. 75-4215, and  
39 amendments thereto. Upon receipt of each such remittance, the state  
40 treasurer shall deposit the entire amount in the state treasury to the credit  
41 of the information technology reserve fund. The director of accounts and  
42 reports shall transfer each month the amount so determined. No such  
43 transfer shall constitute a charge against or decrease in any expenditure

1 limitation then in effect on the information technology fund under any  
2 appropriations act of the legislature.

3 (b) Expenditures from the information technology reserve fund may  
4 be made for equipment and programs needed for the operation of the  
5 ~~division of information systems and communications office of information~~  
6 ~~technology services.~~

7 Sec. 20. K.S.A. 75-4704b is hereby amended to read as follows: 75-  
8 4704b. Appropriations may be made for capital outlay and other expenses  
9 to carry out the purpose of the ~~division of information systems and~~  
10 ~~communications office of information technology services~~ for the same  
11 period as is authorized by K.S.A. 46-155, and amendments thereto, for  
12 capital improvements. The ~~director of information systems and~~  
13 ~~communications, with the approval of the secretary of administration,~~  
14 ~~executive chief information technology officer~~ may enter into multiple year  
15 lease or acquisition contracts, subject to state purchasing laws not in  
16 conflict with the foregoing authorization and so long as such contracts do  
17 not extend beyond the appropriation periods, limitations and restrictions  
18 therefor.

19 Sec. 21. K.S.A. 75-4705 is hereby amended to read as follows: 75-  
20 4705. (a) Central processing of data by computer, for all divisions,  
21 departments and agencies of the state shall be performed by the ~~division of~~  
22 ~~information systems and communications, under the supervision of the~~  
23 ~~secretary of administration office of information technology services under~~  
24 ~~the supervision of the executive chief information technology officer.~~ No  
25 other division, department or agency of the state shall perform central  
26 processing computer functions or control or possess any central processing  
27 unit of a computer, except as otherwise provided in this section.

28 (b) With the approval of the ~~secretary of administration executive~~  
29 ~~chief information technology officer~~, any division, department or agency of  
30 the state may possess and operate central processing units of a computer if  
31 the same are adjunct to the central processing computer unit or units of the  
32 ~~division of information systems and communications office of information~~  
33 ~~technology services.~~

34 (c) Data to be centrally processed by the ~~division of information~~  
35 ~~systems and communications office of information technology services~~  
36 shall be prepared for such processing by the division, department or  
37 agency of the state requesting the same to be processed in accordance with  
38 rules and regulations adopted by the ~~secretary of administration executive~~  
39 ~~chief information technology officer~~ as provided in K.S.A. 75-4703, and  
40 amendments thereto. Programs for processing the data of any division,  
41 department or agency of the state shall be prepared by such division,  
42 department or agency of the state in accordance with standards prescribed  
43 by rules and regulations adopted by the ~~secretary of administration~~

1 ~~executive chief information technology officer~~ as provided in K.S.A. 75-  
 2 4703, and amendments thereto. Notwithstanding the other provisions of  
 3 this subsection, the ~~division of information systems and communications~~  
 4 ~~office of information technology services~~ shall prepare data or programs, or  
 5 provide technical consultation, when a division, department or agency of  
 6 the state requests such service of the ~~division of information systems and~~  
 7 ~~communications and the director of information systems and~~  
 8 ~~communications, subject to the approval of the secretary of administration~~  
 9 ~~agrees thereto office of information technology services and the executive~~  
 10 ~~chief information technology officer.~~

11 (d) This section shall not apply to the universities under the  
 12 jurisdiction and control of the state board of regents.

13 Sec. 22. K.S.A. 2011 Supp. 75-4709 is hereby amended to read as  
 14 follows: 75-4709. (a) The ~~secretary of administration executive chief~~  
 15 ~~information technology officer~~ shall provide for and coordinate all  
 16 telecommunications services for all divisions, departments and agencies of  
 17 the state pursuant to policies established by the information technology  
 18 executive council. The ~~secretary of administration executive chief~~  
 19 ~~information technology officer~~ shall have the authority to control the  
 20 acquisition, retention and use of all telecommunications services for all  
 21 divisions, departments and agencies of the state, and to develop and review  
 22 plans and specifications for telecommunications services throughout the  
 23 state.

24 (b) The ~~secretary of administration executive chief information~~  
 25 ~~technology officer~~, when feasible, may enter into agreements with any  
 26 entity defined in this subsection extending to such entity the use of state  
 27 intercity telecommunications facilities and services under the control of  
 28 the ~~secretary executive chief information technology officer~~.

29 As used in this subsection, an "entity" means:

30 (1) Any governmental unit, including any state agency, taxing  
 31 subdivision of the state or municipality; or

32 (2) any hospital or nonprofit corporation which the ~~secretary~~  
 33 ~~executive chief information technology officer~~ determines to be performing  
 34 any state function on an ongoing basis through agreement or otherwise, or  
 35 any function which will assist a governmental unit in attaining an objective  
 36 or goal, bearing a valid relationship to powers and functions of such unit.

37 (c) Every record made, maintained or kept by the secretary of  
 38 administration or the division of information systems and communications  
 39 ~~prior to July 1, 2012, shall on or after July 1, 2012, be made/maintained~~  
 40 ~~or kept by the executive chief information technology officer or the office~~  
 41 ~~of information technology services, or any agency or instrumentality~~  
 42 thereof, which relates to the acquisition, retention or use of  
 43 telecommunications services provided to any division, department or

the effective date of this act shall be

1 agency of the state, state officer or governmental unit and which pertains  
2 to individually identifiable individuals using such telecommunication  
3 services shall constitute for purposes of the open records act a record of  
4 the division, department or agency of the state, state officer or  
5 governmental unit to which such records relate. The official custodian of  
6 such records for the purposes of the open records act shall be the official  
7 custodian of the records of such division, department or agency of the  
8 state, state officer or governmental unit.

9 Sec. 23. K.S.A. 75-4710 is hereby amended to read as follows: 75-  
10 4710. As used in K.S.A. 75-4709, 75-4712, 75-4713 and 75-4714, and  
11 amendments to these sections *thereto*, telecommunications services  
12 include, but shall not be limited to, any transmission, emission or reception  
13 of signals of any kind containing communications of any nature, by wire,  
14 radio, optical or other electromagnetic means, and includes all facilities,  
15 equipment, supplies and services for such transmission, emission or  
16 reception. Telecommunications services shall include data transmission  
17 services and equipment but shall not include data processing services  
18 provided or authorized by the division of information systems and  
19 communications office of information technology services, or the  
20 acquisition, retention or use of any data processing equipment authorized  
21 by the division of information systems and communications office of  
22 information technology services.

23 Sec. 24. K.S.A. 75-4712 is hereby amended to read as follows: 75-  
24 4712. The secretary of administration executive chief information  
25 technology officer shall adopt rules and regulations as provided in K.S.A.  
26 75-3706 section 1, and amendments thereto, for the acquisition, retention  
27 and use of telecommunications services by all divisions, departments and  
28 agencies of the state and by private, nonprofit corporations and  
29 governmental units which have entered into agreements with the secretary  
30 of administration executive chief information technology officer under  
31 K.S.A. 75-4709, and amendments thereto, and for the purposes of  
32 administering and enforcing the provisions of this act.

33 Sec. 25. K.S.A. 75-4713 is hereby amended to read as follows: 75-  
34 4713. (a) The telecommunications negotiating committee is a three-person  
35 committee composed of (1) the secretary of administration governor, or a  
36 person designated by the secretary of administration governor, (2) the  
37 director of purchases, or a person designated by the director of purchases,  
38 and (3) the director of the division of information systems and  
39 communications executive chief information technology officer, or a person  
40 appointed by the director of information systems and communications  
41 executive chief information technology officer. The telecommunications  
42 negotiating committee may negotiate contracts for telecommunications  
43 services to be entered into by the secretary of administration executive

1 *chief information technology officer* for state agencies and other entities as  
2 provided in K.S.A. 75-4709, and amendments thereto.

3 (b) Prior to negotiating for telecommunications services, the  
4 committee shall advertise for sealed proposals. The committee then may  
5 negotiate with one or more firms submitting proposals and select from  
6 among those submitting such proposals the party to contract with for the  
7 purpose of providing telecommunications services.

8 (c) Contracts entered into pursuant to this section for  
9 telecommunications services shall not be subject to the provisions of  
10 K.S.A. 75-3738 to 75-3740a, inclusive, and amendments thereto.

11 Sec. 26. K.S.A. 75-4714 is hereby amended to read as follows: 75-  
12 4714. Except as otherwise provided by law and subject to the provisions of  
13 appropriations acts relating thereto, all fees and charges imposed by the  
14 ~~secretary of administration~~ *executive chief information technology officer*  
15 for telecommunications services provided or contracted for by the  
16 ~~secretary~~ *executive chief information technology officer* shall be deposited  
17 in the state treasury and credited to the information technology fund.

18 Sec. 27. K.S.A. 75-4715 is hereby amended to read as follows: 75-  
19 4715. (a) There is hereby created in the state treasury the information  
20 technology fund. All expenditures from such fund shall be made in  
21 accordance with appropriation acts upon warrants of the director of  
22 accounts and reports issued pursuant to vouchers approved by the  
23 ~~secretary of administration~~ *executive chief information technology officer*  
24 or by a person designated by the ~~secretary~~ *executive chief information*  
25 *technology officer*.

26 (b) On the effective date of this act, the director of accounts and  
27 reports shall transfer all moneys in the computer services fund, created  
28 under K.S.A. 75-4704, and amendments thereto, and the state  
29 communications services fund, created under K.S.A. 75-4714, and  
30 amendments thereto, to the information technology fund.

31 (c) On the effective date of this act, all liabilities of the computer  
32 services fund and the state communications services fund are hereby  
33 imposed on the information technology fund, and the computer services  
34 fund and the state communications services fund are hereby abolished.  
35 Any reference to such funds abolished by this section in any statute,  
36 contract or other document shall be deemed to refer to the information  
37 technology fund.

38 Sec. 28. K.S.A. 75-4716 is hereby amended to read as follows: 75-  
39 4716. (a) There is hereby created in the state treasury the information  
40 technology reserve fund. All expenditures from such fund shall be made in  
41 accordance with appropriation acts upon warrants of the director of  
42 accounts and reports issued pursuant to vouchers approved by the  
43 ~~secretary of administration~~ *executive chief information technology officer*

1 or by a person designated by the ~~secretary~~ *executive chief information*  
2 *technology officer*.

3 (b) On the effective date of this act, the director of accounts and  
4 reports shall transfer all moneys in the computer services depreciation  
5 reserve fund, created under K.S.A. 75-4704a, *and amendments thereto*, to  
6 the information technology reserve fund. On the effective date of this act,  
7 all liabilities of the computer services depreciation reserve fund are hereby  
8 imposed on the information technology reserve fund, and the computer  
9 services depreciation reserve fund is hereby abolished. Any reference to  
10 such fund abolished by this section in any statute, contract or other  
11 document shall be deemed to refer to the information technology reserve  
12 fund.

13 Sec. 29. K.S.A. 75-6512 is hereby amended to read as follows: 75-  
14 6512. (a) Subject to the provisions of appropriations acts, the secretary of  
15 administration is hereby authorized to establish and administer a cafeteria  
16 plan pursuant to the provisions of section 125 of the federal internal  
17 revenue code of 1986 which shall be available to persons who are officers  
18 or employees of the state and who are qualified to participate in the state  
19 health care benefits program and which shall include, but not be limited to,  
20 provisions under which such officers and employees may agree to receive  
21 reduced compensation and (1) have the state's contribution under K.S.A.  
22 75-6508, and amendments thereto, cover costs of dependent benefit  
23 coverage or other benefits under the state health care benefits program  
24 which would otherwise be payable by such officers and employees, and (2)  
25 receive benefits under the state employee dependent care assistance  
26 program under K.S.A. 75-6520, *and amendments thereto*.

27 (b) Any reduction in compensation for any person pursuant to any  
28 such cafeteria plan shall not reduce the compensation of such person for  
29 purposes of the employment security law, workers compensation act or the  
30 purposes of determining contributions and benefits under the Kansas  
31 public employees retirement system or any retirement system administered  
32 by the board of trustees of the Kansas public employees retirement system.

33 (c) Implementation of any such cafeteria plan and any additions or  
34 deletions thereto shall be subject to approval of the secretary of  
35 administration *and the office of information technology services* to assure  
36 adequate data processing resources therefor within the division of  
37 ~~information systems and communications of the department of~~  
38 ~~administration office of information technology services~~.

39 Sec. 30. K.S.A. 2011 Supp. 75-7202 is hereby amended to read as  
40 follows: 75-7202. (a) There is hereby established the information  
41 technology executive council which shall be attached to the department of  
42 ~~administration office of information technology services~~ for purposes of  
43 administrative functions.



1 (b) The council shall be composed of 17 voting members as follows:  
 2 The secretary of administration; two cabinet agency heads; one noncabinet  
 3 agency head; the director of the budget; the executive chief information  
 4 technology officer; the legislative chief information technology officer; the  
 5 judicial chief information technology officer and the judicial administrator  
 6 of the Kansas supreme court; the executive director of the Kansas board of  
 7 regents; the commissioner of education; ~~one representative two~~  
 8 ~~representatives of cities; one representative two representatives of~~  
 9 ~~counties; the network manager of the information network of Kansas~~  
 10 ~~(NKK); and three representatives one representative from the private sector~~  
 11 ~~who are is a chief executive officers officer or chief information~~  
 12 ~~technology officers officer. The chief information technology architect~~  
 13 ~~shall be a nonvoting member of the council. The two cabinet agency~~  
 14 ~~heads, the noncabinet agency head, the representative of cities, the~~  
 15 ~~representative of counties and the representative from the private sector~~  
 16 shall be appointed by the governor for a term not to exceed 18 months.  
 17 Upon expiration of an appointed member's term, the member shall  
 18 continue to hold office until the appointment of a successor. Nonappointed  
 19 members shall serve *ex officio*.

20 (c) ~~The secretary of administration shall serve as the chairperson of~~  
 21 ~~the council. The chairperson of the council shall be drawn from the chief~~  
 22 ~~information technology officers, with each chief information technology~~  
 23 ~~officer serving a one-year term. The term of chairperson shall rotate~~  
 24 ~~among the chief information officers on an annual basis.~~

25 (d) The council shall hold meetings and hearings in the city of Topeka  
 26 or at such other places as the council designates, on call of the chairperson  
 27 or on request of four or more members.

28 (e) Members of the council may not appoint an individual to  
 29 represent them on the council and only members of the council may vote.

30 (f) Members of the council shall receive mileage, tolls and parking as  
 31 provided in K.S.A. 75-3223, and amendments thereto, for attendance at  
 32 any meeting of the council or any subcommittee meeting authorized by the  
 33 council.

34 Sec. 31. K.S.A. 2011 Supp. 75-7204 is hereby amended to read as  
 35 follows: 75-7204. (a) There is hereby established, within and as a part of  
 36 the department of administration, the office of chief information  
 37 technology architect, the head of which shall be the chief information  
 38 technology architect. Under the supervision of the secretary of  
 39 administration, the chief information technology architect shall administer  
 40 the office of the chief information technology architect office of  
 41 information technology services, the position of chief information  
 42 technology architect whose duties shall be performed under the  
 43 supervision of the executive chief information technology officer. The chief

representatives

representative

representatives

1 information technology architect shall be in the unclassified service under  
2 the Kansas civil service act, shall be appointed by the secretary of  
3 ~~administration executive chief information technology officer~~, subject to  
4 approval of the governor and shall receive compensation in an amount  
5 fixed by the ~~secretary of administration executive chief information~~  
6 ~~technology officer~~, subject to approval of the governor.

7 (b) The chief information technology architect shall:

8 (1) Propose to the information technology executive council: (A)  
9 Information technology resource policies and procedures and project  
10 management methodologies for all state agencies; (B) an information  
11 technology architecture, including telecommunications systems, networks  
12 and equipment, that covers all state agencies; (C) standards for data  
13 management for all state agencies; and (D) a strategic information  
14 technology management plan for the state;

15 (2) serve as secretary to the information technology executive  
16 council; and

17 (3) perform such other functions and duties as provided by law or as  
18 directed by the ~~secretary of administration executive chief information~~  
19 ~~technology officer~~.

20 Sec. 32. K.S.A. 2011 Supp. 75-7205 is hereby amended to read as  
21 follows: 75-7205. (a) There is hereby established within and as a part of  
22 the ~~department of administration office of technology information services~~  
23 the position of executive chief information technology officer. The  
24 executive chief information technology officer shall be in the unclassified  
25 service under the Kansas civil service act, shall be appointed by the  
26 ~~secretary of administration, subject to approval of the governor, and shall~~  
27 ~~receive compensation in an amount fixed by the secretary of~~  
28 ~~administration, subject to approval of the governor. The executive chief~~  
29 ~~information technology officer shall maintain a presence in any cabinet~~  
30 ~~established by the governor and shall report to both the governor and the~~  
31 ~~secretary of administration.~~

32 (b) The executive chief information technology officer shall:

33 (1) Review and consult with each executive agency regarding  
34 information technology plans, deviations from the state information  
35 technology architecture, information technology project estimates and  
36 information technology project changes and overruns submitted by such  
37 agency pursuant to K.S.A. 2011 Supp. 75-7209, and amendments thereto,  
38 to determine whether the agency has complied with: (A) The information  
39 technology resource policies and procedures and project management  
40 methodologies adopted by the information technology executive council;  
41 (B) the information technology architecture adopted by the information  
42 technology executive council; (C) the standards for data management  
43 adopted by the information technology executive council; and (D) the

information technology

1 strategic information technology management plan adopted by the  
2 information technology executive council;

3 (2) report to the chief information technology architect all deviations  
4 from the state information architecture that are reported to the executive  
5 information technology officer by executive agencies;

6 (3) submit recommendations to the division of the budget as to the  
7 technical and management merit of information technology project  
8 estimates and information technology project changes and overruns  
9 submitted by executive agencies pursuant to K.S.A. 2011 Supp. 75-7209,  
10 and amendments thereto, based on the determinations made pursuant to  
11 subsection (b)(1);

12 (4) monitor executive agencies' compliance with: (A) The  
13 information technology resource policies and procedures and project  
14 management methodologies adopted by the information technology  
15 executive council; (B) the information technology architecture adopted by  
16 the information technology executive council; (C) the standards for data  
17 management adopted by the information technology executive council;  
18 and (D) the strategic information technology management plan adopted by  
19 the information technology executive council;

20 (5) coordinate implementation of new information technology among  
21 executive agencies and with the judicial and legislative chief information  
22 technology officers;

23 (6) designate the ownership of information resource processes and the  
24 lead agency for implementation of new technologies and networks shared  
25 by multiple agencies within the executive branch of state government; and  
26 (7) perform such other functions and duties as provided by law or as  
27 directed by the ~~secretary of administration~~ *governor*.

28 Sec. 33. K.S.A. 2011 Supp. 75-7224 is hereby amended to read as  
29 follows: 75-7224. (a) The board shall establish a plan to ensure that all  
30 schools, libraries and hospitals have quality, affordable access to the  
31 internet and distance learning. The board shall adopt standards for  
32 determining whether such access is available to each school, library or  
33 hospital desiring such access and shall adopt priorities for implementation  
34 of such access. The board may request and receive assistance from any  
35 school, any library, any hospital, the state corporation commission, any  
36 other agency of the state or any telecommunications, cable or other  
37 communications services provider to gather necessary data to implement  
38 such plan and establish such standards and priorities. The board shall  
39 develop a methodology for updating and validating any data collected for  
40 periodic revisions of the plan, standards and priorities. Not less than 75%  
41 of all schools which have applied to the board to participate in the  
42 network, 75% of all libraries which have applied to the board to participate  
43 in the network and 75% of all hospitals which have applied to the board to

1 participate in the network shall have access to the network by July 1, 2004.

2 (b) The board shall contract with providers of telecommunications  
3 services, cable services and other communications services for the  
4 creation, operation and maintenance of the network. Such contracts shall  
5 be let by competitive bids as provided by K.S.A. 75-3739, and  
6 amendments thereto.

7 (c) The board shall establish: (1) Technical standards for operation  
8 and maintenance of the network; (2) the method of monitoring operations  
9 of the network; and (3) the method or methods of increasing the capacity  
10 of the network to accommodate changes in the demands of schools,  
11 libraries and hospitals.

12 (d) The board shall identify any potential regulatory impediments to  
13 and other regulatory considerations in implementation of the network and  
14 shall propose measures to address such impediments and other  
15 considerations.

16 (e) The board shall assess the need of schools, libraries and hospitals  
17 for full-motion video connectivity. Based on its findings, the board may  
18 develop a plan to provide such connectivity. The plan may require users of  
19 such connectivity bear part of its cost.

20 (f) The board may appoint such advisory committees as the board  
21 determines necessary to carry out the purposes of this act. The membership  
22 of advisory committees may include both members of the board and  
23 persons who are not board members. Such advisory committees, to the  
24 extent appropriate, shall include both communications services providers  
25 and participants knowledgeable about topics such as network facilities and  
26 services, network content and user training, and such other topics as may  
27 be necessary or useful. Members of advisory committees appointed by the  
28 board shall receive amounts provided for in subsection (e) of K.S.A. 75-  
29 3223, and amendments thereto.

30 (g) On or before July 1, 2002, and thereafter as the board deems  
31 appropriate, the board shall adopt rules and regulations to implement and  
32 administer the provisions of this act.

33 (h) The board shall have all other powers necessary to achieve the  
34 purposes of this act, including but not limited to the power to receive any  
35 appropriations, donations, grants, bequests and devises, conditional and  
36 otherwise, of money, property, services or other things of value for the  
37 purposes of this act.

38 (i) ~~The state department of education, the division of information~~  
39 ~~systems and communications of the department of administration office of~~  
40 ~~information technology services, the state corporation commission and all~~  
41 ~~other state agencies shall cooperate with the board in providing~~  
42 ~~information and other assistance requested by the board for the~~  
43 ~~performance of its duties pursuant to this act.~~

1 Sec. 34. K.S.A. 76-389 is hereby amended to read as follows: 76-389.  
 2 (a) Within the limits of appropriations therefor, the university of Kansas  
 3 medical center is hereby authorized to establish, maintain and operate a  
 4 telemedicine communications system, subject to the approval by the  
 5 ~~secretary of administration~~ *executive chief information technology officer*  
 6 under K.S.A. 75-4709, and amendments thereto. The telemedicine  
 7 communications system shall apply telecommunications technology to the  
 8 practice of medicine through compressed, full-motion, high-resolution,  
 9 two-way interactive video communication and information transfer over  
 10 long distances within a medical setting.

11 (b) For the purpose of establishing, operating and maintaining the  
 12 telemedicine communications system, the university of Kansas medical  
 13 center may enter into contracts with any state agency, and any such agency  
 14 is authorized to contract for such purpose with the university of Kansas  
 15 medical center. The university of Kansas medical center in addition may  
 16 enter into contracts or other agreements with any municipality as defined  
 17 under K.S.A. 75-1117, and amendments thereto, medical facility as  
 18 defined under K.S.A. 65-411, and amendments thereto, individual, firm,  
 19 partnership, corporation or other business entity for the establishment of  
 20 the telemedicine communications system or the establishment or operation  
 21 of any part thereof including placement, operation and maintenance of  
 22 equipment. In accordance with the authority of the ~~secretary of~~  
 23 ~~administration~~ under K.S.A. 75-4709, and amendments thereto, all  
 24 contracts entered into by the university of Kansas school of medicine  
 25 under this section shall be subject to approval by the ~~secretary of~~  
 26 ~~administration~~ Standards and qualifications for utilization of the  
 27 telemedicine communications system shall be established by the  
 28 telemedicine advisory committee.

29 (c) For the purpose of establishing, operating and maintaining the  
 30 telemedicine communications system, the university of Kansas medical  
 31 center may accept any grant of money or property, including any federal  
 32 moneys available therefor. Within the limits of appropriations therefor and  
 33 subject to approval by the ~~secretary of administration~~ under K.S.A. 75-  
 34 4709, and amendments thereto, the university of Kansas medical center  
 35 may acquire, in the name of the state, any equipment necessary for the  
 36 telemedicine communications system.

37 (d) As part of the telemedicine communications system under this  
 38 section and within the limits of appropriations therefor, the university of  
 39 Kansas medical center may provide and may fix, charge and collect fees,  
 40 which shall be deposited in the state treasury to the credit of one or more  
 41 special revenue funds as specified by the vice-chancellor, for the following  
 42 services:

- 43 (1) Clinical and educational telemedicine services;

executive chief information technology officer

executive chief information technology officer

executive chief information technology officer

1 (2) consulting services pertaining to the technology, system  
 2 capability, clinical services supported and basic telemedicine information;  
 3 (3) system design information;  
 4 (4) advice and assistance on equipment and acquisition installation;  
 5 (5) coordination with serving telephone companies and attachment to  
 6 telecommunications networks;  
 7 (6) system training;  
 8 (7) coordination of system upgrades;  
 9 (8) clearing house for telemedicine information; and  
 10 (9) such other services as may be necessary in establishing, operating  
 11 and maintaining the telemedicine communications system.  
 12 (e) There is hereby established the telemedicine advisory committee  
 13 to consist of five members. The members of the telemedicine advisory  
 14 committee shall be appointed by the chancellor of the university of  
 15 Kansas. Of the members of the telemedicine advisory committee, one  
 16 member shall be a representative of the Kansas medical society and one  
 17 member shall be a representative of the Kansas hospital association. The  
 18 chancellor shall designate the member who is chairperson of the  
 19 telemedicine advisory committee. Vacancies on the telemedicine advisory  
 20 committee shall be filled in like manner as original appointments. The  
 21 telemedicine advisory committee shall meet periodically upon the call of  
 22 the chairperson of the telemedicine advisory committee. Members of the  
 23 telemedicine advisory committee attending meetings of the committee, or  
 24 attending a subcommittee meeting thereof authorized by the committee,  
 25 shall be paid amounts provided in subsection (e) of K.S.A. 75-3223, and  
 26 amendments thereto. The telemedicine advisory committee shall make  
 27 recommendations to the university of Kansas medical center in regard to  
 28 the administration of the provisions of this section, shall establish  
 29 standards and qualifications for utilization of the telemedicine  
 30 communications system in accordance with subsection (b) and shall  
 31 perform such other duties as may be required by law.  
 32 Sec. 35. ~~KK.S.A.4-48-937, 65-6138, 65-6139, 65-6140, 74-9302, 74-~~  
 33 ~~9303, 74-9306, 74-9605, 75-37,102, 75-4701, 75-4702, 75-4702c, 75-~~  
 34 ~~4704, 75-4704b, 75-4705, 75-4710, 75-4712, 75-4713, 75-4714, 75-4715,~~  
 35 ~~75-4716, 75-6512 and 76-389 and K.S.A. 2011 Supp. 46-1503, 74-9304,~~  
 36 ~~75-3707e, 75-4703, 75-4704a, 75-4709, 75-7202, 75-7204, 75-7205 and~~  
 37 ~~75-7224 are hereby repealed.~~  
 38 Sec. 36. This act shall take effect and be in force from and after its  
 39 publication in the ~~statute book~~ Kansas register  
 40

K.S.A

Kansas register