REGULATIONS APPROVAL PROCESS

The outline below addresses the specific steps required for promulgating new, amended, or revoked regulations.

1. **Draft Regulations:** Draft the proposed new or amended regulations with input from program staff, Legal, regulated community, partners/families, advocates, and any other individuals identified as having information needed for the development of the regulations.

2. **Economic Impact Statement (EIS):** Based on the proposed regulation(s), program staff complete an EIS.

3. **Concurrence:** Regulation(s) and EIS are routed through the agency/department, including Legal, for concurrence with the proposed regulation(s). The Secretary signs off/grants final approval.

4. **Dept. of Administration:** The proposed regulation(s) go to the Dept. of Administration for review. This may involve several re-submissions until each page is stamped as approved.

5. **Attorney General’s Office:** Stamped proposed regulations go to the AG’s office for final review and stamp of approval.

6. **Office of Budget:** The proposed regulation(s) and EIS go to the Office of Budget for review and is stamped, if Budget approval is required.

7. **Public Comment:** When all pages have been approved/stamped, the public comment period begins. A public hearing is scheduled – the hearing date must be at least 60 days after publication of the Notice of Hearing in the Kansas Register.
   a. **Transmittal Letter:** Legal prepares the Notice of Hearing, the stamped proposed regulations, and the updated EIS for the Secretary’s approval.
   b. **Kansas Register, First Publication:** Transmittal package is sent to the Secretary of State’s office. Ten (10) days after receipt of the Transmittal package, the Secretary of State’s office publishes the Notice of Hearing, starting the official Public Comment period.
   c. **Public Comment Period:** Beginning with the date of publication of the Notice in the Kansas Register and ending at 5:00 PM on the day of the Public Hearing, program staff receive written public comments on the proposed regulations.

8. **Joint Committee on Administrative Rules & Regulations (legislative process):** During the public comment period, Legal provides the Notice of Hearing, the stamped regulations, and the updated EIS to staff of the Kansas Legislative Research Office.

9. **Public Hearing:** The Hearing Officer holds the Public Hearing. Individuals may present written or verbal comments during the Hearing.

10. **Responsiveness Summary to the Joint Committee on Administrative Rules & Regulations:** Program staff must write a “Responsiveness Summary” listing every comment received on the proposed regulation(s), including those from the Joint Committee’s letter and agency’s decision on each comment (accept/revise, no change). Based on the review of public comments, any updated statutory requirements, and additional internal review, the proposed regulations may be revised.

11. **Publication in the Kansas Register:** KDHE Legal provides the Secretary of State’s office with the final, stamped regulations and the letter of adoption of the regulations by the Secretary. Each regulation becomes effective on the 15th day of publication.