

Kansas Administrative Regulations

Department of Health and Environment

Article 67.—Health Care Database

28-67-10. Eligible contractors.

(a) A contractor may be designated to provide data processing services for the collection of health care information. The contractor may be a public or private organization. Eligible contractors shall provide to the secretary assurances that there are no conflicts of interest.

(b) Persons who shall not be contractors include, but shall not be limited to:

(1) a major purchaser, payer or provider of health care services in Kansas;

(2) a subcontractor of an organization in K.A.R. 28-67-10 (b)(1), except those commissioned to perform only data processing functions;

(3) a subsidiary or affiliate of an organization in K.A.R. 28-67-10 (b)(1) in which a controlling interest is held and may be exercised by that organization either independently or in concert with any other organization in K.A.R. 28-67-10 (b)(1); or

(4) an association of major purchasers, payers or providers of health care services.

(c) State agencies are exempt from the requirement under subsection (b) of this regulation regarding eligibility to contract and may offer a bid if the secretary decides to bid the contract for services.

(d) The contractor may be granted the authority to examine confidential materials and perform other functions authorized by the secretary and approved by the board. The contractor shall comply with all confidentiality and record security requirements pursuant to K.A.R. 28-67-6 and K.A.R. 28-67-8. The release of confidential information by the contractor shall constitute grounds for the secretary to terminate any agreement between the contractor and the secretary.

(Authorized by and implementing K.S.A. 65-6804, as amended by L. 1994, Ch. 90, sec. 3; effective Dec. 19, 1994.)