

From: Lacey Hunter [KDADS] <Lacey.Hunter@ks.gov>  
Sent: Tuesday, April 9, 2024 11:54 AM  
To: Linda MowBray <LMowBray@khca.org>  
Cc: Patricia Purdon [KDADS] <Patricia.Purdon@ks.gov>  
Subject: RE: ownership discloser

Good Afternoon Linda,

**The disclosure of ownership at any level is required to insure that KSA 39-991(a) is met. Within this statute it describes:**

- a. **As used in this section, the term "person" means any person who is an applicant for a license to operate an adult care home or who is the licensee of an adult care home and who has any direct or indirect ownership interest in an adult care home or who is the owner, in whole or in part, of any mortgage, deed of trust, note or other obligation secured, in whole or in part, by such facility or any of the property or assets of such facility, or who, if the facility is organized as a corporation, is an officer or director of the corporation, or who, if the facility is organized as a partnership, is a partner.**
- b. **(b) Pursuant to K.S.A. 39-931, and amendments thereto, the licensing agency may deny a license to any person and may suspend or revoke the license of any person who:**
- c. **(1) Has willfully or repeatedly violated any provision of law or rules and regulations adopted pursuant to article 9 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto;**
- d. **(2) has had a license to operate an adult care home denied, suspended, revoked or limited, has been censured or has had other disciplinary action taken, or an application for a license denied, by the proper licensing authority of another state, territory, District of Columbia or other country, a certified copy of the record of such action of the other jurisdiction being conclusive evidence thereof;**
- e. **(3) has failed or refused to comply with the medicaid requirements of title XIX of the social security act, or medicaid regulations under chapter IV of title 42 of the code of federal regulations, a certified copy of the record of such action being conclusive evidence thereof;**
- f. **(4) has failed or refused to comply with the medicare requirements of chapter 7 of title 42 of the United States code, or medicare regulations under chapter IV of title 42 of the code of federal regulations, a certified copy of the record of such action being conclusive evidence thereof;**
- g. **(5) has been convicted of a felony;**
- h. **(6) has failed to assure that nutrition, medication and treatment of residents, including the use of restraints, are in accordance with acceptable medical practices;**
- i. **(7) has aided, abetted, sanctioned or condoned any violation of law or rules and regulations adopted pursuant to article 9 of chapter 39 of the Kansas Statutes Annotated, and amendments thereto; or**
- j. **(8) has willfully admitted a person to a nursing facility in violation of K.S.A. 39-968, and amendments thereto.**
- k. **History: L. 1978, ch. 161, § 9; L. 1992, ch. 322, § 3; L. 1994, ch. 147, § 2; L. 2012, ch. 113, § 4; L. 2019, ch. 55, § 29; May 9**
- l.

Thank you,

Lacey  
Lacey Hunter  
Commissioner  
Survey Certification & Credentialing Commission  
Kansas Department of Aging & Disability Services

From: Linda MowBray <LMowBray@khca.org>  
Sent: Tuesday, April 9, 2024 12:09 PM  
To: Lacey Hunter [KDADS] <Lacey.Hunter@ks.gov>  
Cc: Patricia Purdon [KDADS] <Patricia.Purdon@ks.gov>  
Subject: RE: ownership discloser

**Thanks Lacey – looks like it’s been on the books for a long time. Is there a reason for actually doing a deeper dive now? A catalyst or directive from another agency? Thanks. L**

Linda MowBray President/CEO  
KHCA/KCAL

**Linda,  
I am not sure about prior to my tenure at KDADS but this has always been the process since I started in 2017.**

Thank you,  
Lacey

Lacey Hunter  
Commissioner  
Survey Certification & Credentialing Commission  
Kansas Department of Aging & Disability Services