

The minutes below are in draft form, subject to approval by the Legislative Post Audit Committee at a later meeting.

**DRAFT
MINUTES
Legislative Post Audit Committee
December 12, 2023**

Call to Order and Minutes

Welcome – The meeting was called to order by Chairman Sean Tarwater at 1:34 p.m. in Room 546-S of the Statehouse. Committee members present:

Rep. Sean Tarwater, Chairman
Rep. Shannon Francis
Rep. Jason Probst
Rep. Tom Sawyer
Rep. Kristey Williams

Sen. Caryn Tyson, Vice Chair
Sen. Ethan Corson
Sen. Mike Petersen
Sen. Mike Thompson
Sen. Mary Ware

LPA Operations

Automated Biometric Identification System (ABIS) Monitoring Memo – Katrin Osterhaus, IT Audit Manager, presented findings from the monitoring memo and answered questions from the committee. The memo will be distributed to all legislators.

2024 IT Monitoring Plan – Katrin Osterhaus, IT Audit Manager, presented the annual IT project monitoring plan for 2024 and answered questions from the committee. That plan would have LPA staff monitor the Kansas Department of Health and Environment’s (KDHE’s) Early Childhood Data Integration and System Enhancement project. Senator Tyson made a motion to approve the plan. Senator Petersen seconded the motion; motion carried.

2024 IT Security Plan – Katrin Osterhaus, IT Audit Manager, presented the annual IT security plan with two recommended options for reviewing agencies in 2024. The committee discussed the pros and cons of both approaches and other potential options. Senator Tyson made a motion to approve option B to conduct comprehensive IT security audits for a limited number of state agencies and school districts, using a confidential report format and including a 4 to 1 ratio of school districts. The motion also included a recommendation for the Joint Committee on Information Technology to consider what approach they think would be best and to report that suggestion to LPAC. Representative Williams seconded the

motion; motion carried.

Proposed Legislation – Chris Clarke, Post Auditor, reminded the committee that they directed staff to prefile a bill in both chambers to eliminate several statutory requirements that affect LPA, including required audits of the 911 system implementation, KPERS, and economic development incentives. If the bill passes, Senator Thompson requested that LPA staff periodically remind the committee how much time has passed since staff last audited these topics.

Legislative Report Meetings Plan – Chris Clarke, Post Auditor, discussed how the division plans to comply with LPAC Rule 1-5(f). That includes which committees staff intend to meet with regarding audits released in the last year.

Data Mining Results – Matt Etzel, Performance Audit Manager, discussed results from the data mining team’s work in 2023 and answered questions from the committee.

Audit Recommendation Report – Matt Etzel, Performance Audit Manager, summarized the annual recommendation follow-up report to comply with LPAC Rule 3-5.

Performance Audit Requests

Performance Audit Requests – Kristen Rottinghaus, Deputy Post Auditor reviewed two audit proposals requested by legislators prior to the committee’s meeting and committee procedures for proceeding. Representative Jason Probst requested a performance audit of hospitals’ compliance with the Kansas Lay Caregiver Act. Representative Samantha Poetter Parshall requested a performance audit of school districts’ state and local expenditures and budgets.

After discussion and questions, Representative Williams made a motion to approve a limited-scope audit of one to two school districts’ expenditures and whether they comply with state law. Senator Tyson seconded the motion; motion carried. Staff will work with the requesting legislator to develop the limited-scope audit and bring it back to the committee at a future meeting.

Representative Probst made a motion to approve the Kansas Lay Caregiver Act proposal for staff to begin before the spring 2024 meeting. Senator Ware seconded the motion; motion carried.

Executive Session

IT Security Follow Up

Individuals allowed to remain in the executive session for the IT security follow up were:

Legislative Post Audit

- Chris Clarke, Legislative Post Auditor
- Katrin Osterhaus, IT Audit Manager
- Alex Gard, Principal IT Auditor

Parsons State Hospital

- Tom Pagano, KDADS Chief Information Officer
- Mike Dixon, PSH Superintendent and State Hospital Commissioner
- Stanley Lantz, PSH Information Technology Director
- Jared Essig, KDADS Information System Manager
- Brad Ridley, KDADS Director of Operations

Office of Attorney General

- Nick Bylsma, Senior Information Technology Director
- Travis Williams, Information Technology Manager
- Charles Dalton, Chief of Staff

Department of Labor

- Amber Shultz, Secretary
- Sandy Johnson, Deputy Secretary
- Amy Selm, Deputy Secretary
- Jeffry Lewis, Chief Information Officer
- Greg Caringer, Information Security Officer
- Julie Menghini, Government Affairs Director

Great Bend School District, U.S.D 428

- Khris Thexton, Superintendent
- John Popp, Assistant Superintendent
- Ryan Axman, Director of Information Technology
- Aaron Emerson, Vice President Board of Education

KU Medical Center

- Chris Harper, Joint Chief Information Officer
- Jeremy Pennington, Chief Information Security Officer

Senator Tyson made the following motion:

I move to recess this open meeting for a closed meeting pursuant to

K.S.A. 75-4319(a) under the justification listed in K.S.A. 75-4319(b)(12) to discuss matters relating to security measures that protect the information systems of Parsons State Hospital, the Office of the Attorney General, the Department of Labor, U.S.D. 428, Great Bend, and the University of Kansas Medical Center, all of which were previously audited by the legislative division of post audit at the direction of the legislative post audit committee because discussion of such matters in an open meeting would jeopardize such security measures; to resume the open meeting in Room 546-S at 3:15 p.m. and to record this motion, if adopted, as a part of the committee's permanent records.

Representative Probst seconded the motion; motion carried. Open meeting resumed at 3:15 p.m. Senator Tyson renewed the motion to return to executive session until 3:30 p.m. Representative Francis seconded the motion; motion carried. Open meeting resumed at 3:30 p.m.

Post Auditor Evaluation

Individuals allowed to remain in the executive session for the evaluation of the Post Auditor were:

Legislative Post Audit

- Chris Clarke, Legislative Post Auditor

Legislative Administrative Services

- Tom Day, Director

Senator Tyson made the following motion:

I move to recess this open meeting for a closed meeting pursuant to K.S.A. 75-4319(a) under the justification listed in K.S.A. 75-4319(b)(1) to discuss matters relating to the annual evaluation of the Post Auditor because such evaluation constitutes a need to discuss a personnel matter of nonelected personnel; to resume the open meeting in Room 546-S at 3:45 p.m. and to record this motion, if adopted, in the minutes as a part of the committee's permanent records.

Representative Francis seconded the motion; motion carried. Open meeting resumed at 3:45 p.m.

Audits and Evaluations

Kansas 911 System – David Brevitz from Brevitz Consulting, and Pat Meyers and David Bahar who also worked on the engagement, presented

findings from the report and answered questions from the committee. The committee requested that Brevitz Consulting return to the committee for a more in-depth presentation and questions early next year.

Fiscal Notes – Andy Brienzo, Principal Auditor, presented findings from the report and answered questions from the committee.

Economic Development Evaluation of Newly Created Incentives Memo – Josh Luthi, Principal Auditor, presented the findings from the memo and answered questions from the committee.

These reports will be distributed to all legislators.

Consent Calendar

Consent Calendar – Kristen Rottinghaus, Deputy Post Auditor, reviewed the consent calendar. The consent calendar included approval of the October 10 meeting minutes, acceptance of the completed performance audits presented at today’s meeting, and designation of audits that satisfy the K-GOAL law. Those audits included:

- Evaluating the Department of Commerce’s Major Economic Development Incentive Programs
- Evaluating the Rural Opportunity Zones Program
- Evaluating Groundwater Management Districts’ Efforts to Conserve Water
- Evaluating Whether Services to Collect Child Support Payments in Kansas are Effective and Timely

There were no objections, so the items were approved.

Additional Business

Date of Next Meeting – Chris Clarke, Post Auditor, outlined committee business and reports LPA will release at future meetings. She said the next meeting will be in early-to-mid January and will include committee reorganization. The committee will meet later in January to hear Commerce’s presentation to LPAC as required by state law. She will work with the new chair to schedule other meetings for 2024.

Adjournment

The meeting adjourned at 4:44 p.m.

Nicole Blanchett, Secretary
Legislative Post Audit Committee

date

All handouts and other documents referred to in these minutes are on file with Legislative Post Audit. Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim and have not been submitted to the individuals appearing before the committee for editing or corrections.