



Kansas 911 Coordinating Council

PSAP Expenditure Process and Procedure

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Prepared by Executive Committee
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DRAFT



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1 Introduction

- The Kansas 911 Act stipulates allowable and unallowable use of 911 fee funds.
- Based on the 911 Act the Kansas Coordinating Council (“Council”) defines the expenditure process and procedures
- The Operations Committee is tasked with oversight and administration of Expenditures supported by:
 - NG911 Administrator
 - NG911 Liaison
 - LCPA

2 Scope and Purpose

As approved by the Council on June 8, 2018, this document establishes the expenditure process and procedure in compliance with the Kansas 911 Act.

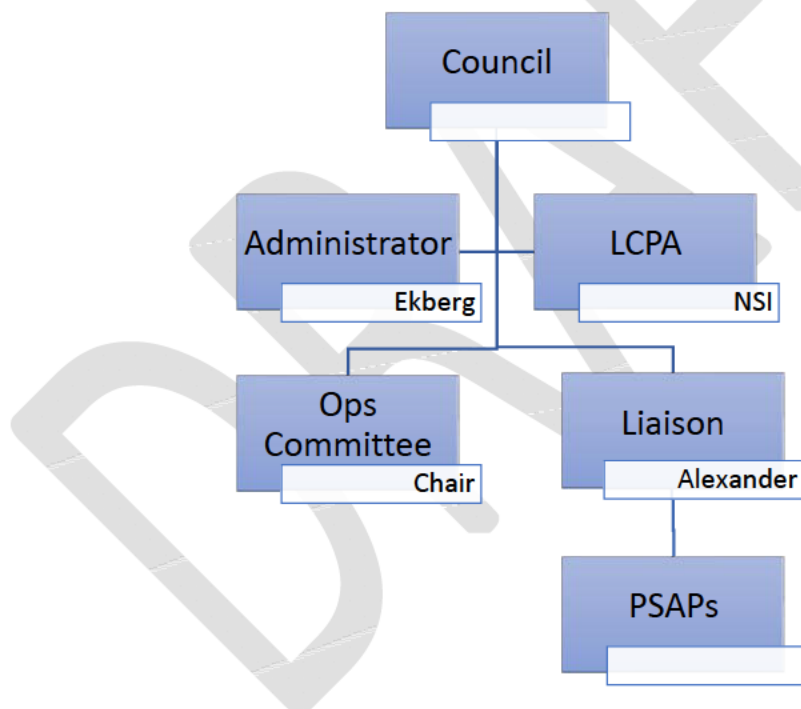
3 Applicable Documents

- Kansas 911 Act

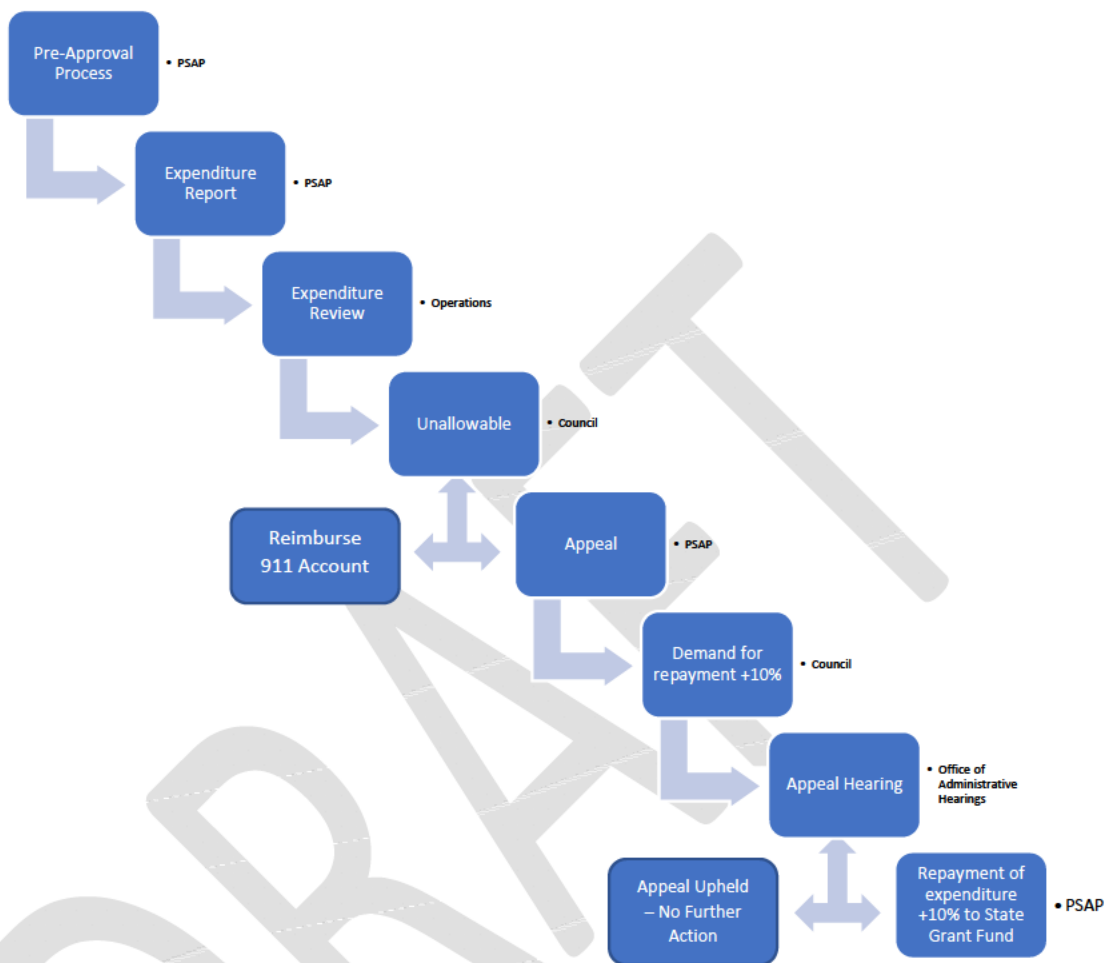
4 Organization

Expenditure Work Group:

- Michele Abbott
- Scott Ekberg
- Lori Alexander
- Eileen Battles
- Kathy Becker
- Randall White



5 Work Flow



6 Allowable Expenditure Categories

The Kansas 911 Act provides the following eight categories as allowable expenditures:

1. Implementation of 911 services
2. Purchase of 911 equipment and upgrades
3. Maintenance and license fees for 911 equipment
4. Training of personnel
5. Monthly recurring charges billed by service suppliers
6. Installation, service establishment and nonrecurring start-up charges billed by the service supplier



7. Charges for capital improvements and equipment or other physical enhancements to the 911 system
8. The original acquisition and installation of road signs designed to aid in the delivery of emergency service

7 Unallowable Expenditure Categories

The Kansas 911 Act specifically prohibits expenditures of 911 funds for the following:

1. Expenditures to lease, construct, expand, acquire, remodel, renovate, repair, furnish or make improvements to buildings or similar facilities
2. Expenditures to purchase subscriber radio equipment

8 Expenditure Reporting Procedure

The following procedure will be utilized for expenditure reporting:

1. Each PSAP will identify the person(s) responsible for expenditure reporting for that PSAP.
2. That/Those person(s) will create an account on the Council web portal at <https://portal.kansas911.org>, selecting the "Will you be submitting expenditure reports (PSAPs only)?" checkbox to identify themselves as expenditure reporters.
3. Expenditure reporters for each PSAP will report all expenditures of 911 fee monies on the portal providing all requested information. Clear information pertaining to the description and comments that articulate the relation of the expenditure to the receiving, processing and transmitting of a 911 call. Information on the use of the portal to report expenditures is available at <http://www.kansas911.org/finance/#reporttutorial>.
4. Expenditures may be reported daily, weekly, monthly or annually at the convenience of the PSAP.
5. If expenditures are reported annually, monthly bills on a single account, to a single service provider (i.e., Nex-Tech phone bills for 911 end office trunk charges on account xxxx) may be aggregated into a single expenditure entry.
6. At the end of each year, and prior to March 1st of each year, the PSAP expenditure reporter will enter the revenue data on the revenue tab on the expenditure reporting tool.
7. Once all expenditures and revenue entries have been completed, the expenditure reporter will submit the annual expenditure report by selecting their PSAP and checking the box stating that the report is complete and then saving that data on the "Annual Submission" tab of the portal tool.
8. The portal will generate a random list of five (or all if less than five expenditures are reported) expenditures that require the submission of the invoice supporting the expenditure. The PSAP's expenditure reporter will use the portal to submit the selected invoices.
9. Expenditure reports not submitted by March 31st of each year will be considered delinquent. On or about April 1st of each year, the PSAP Liaison will notify any delinquent PSAP of the requirement to submit the annual expenditure report forthwith. On or about April 15th of each year, the PSAP Liaison will contact any delinquent PSAP via telephone and advise that failure to



submit the annual expenditure report by April 30th will result in a letter from the LCPA to the governing body of the PSAP and the governing body's auditor. On or about May 1st of each year the LCPA will send delinquency notices to the governing body's and their auditor for any PSAP who has failed to submit their annual expenditure report.

10. The same process will be followed for any PSAP failing to upload the selected invoices as outlined in number eight above.

9 Expenditure Review Policy

K.S.A. 12-5364 (b)(2)(p) requires the Council to submit an annual report to the legislature including a detailed report of expenditures of all 911 funds expended throughout the state. Additionally, K.S.A. 12-5375 (b) provides that:

“If the 911 coordinating council, based upon information obtained from the PSAP reports or an audit of the PSAPs, determines that any PSAP has used any 911 fees for any purpose other than those authorized in this act, such PSAP shall repay all such funds used for any unauthorized purposes plus 10% to the LCPA for deposit in the 911 state grant fund. No such repayment of 911 fees shall be imposed pursuant to this section except upon the written order of the council. Such order shall state the unauthorized purposes for which the funds were used, the amount of funds to be repayed and the right of such PSAP to appeal to a hearing before the council. Any such PSAP may, within 15 days after service of the order, make a written request to the council for a hearing thereon. Hearings under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act.”

To comply with these statutory duties, the Council must review the expenditure reports and determine that every expenditure complies with the statutory allowable use provisions.

The Council published the following philosophy on the allowable use of 911 funds in 2012.

“Generally, it is considered permissible to use 911 funds to buy electronic equipment, software, GIS technical support and data, technical support services, software and hardware maintenance, training, and telecommunications services that are directly related to a PSAP receiving, processing and transmitting a 911 call. The legislature has prohibited the use of 911 funds for buildings, chairs, tables, building renovation and repairs, and for mobile and portable radios which would include pagers.

Use of 911 funds for the purchase of dispatch console equipment designed specifically for use in a PSAP for 911 and radio operations should be acceptable as are logging recorders, emergency generators, Uninterruptible Power Supply systems, Computer Aided Dispatch systems, and radio base stations used by a PSAP to support its operations. Use of 911 funds for training that is directly related to the performance of 911 and dispatching duties in a PSAP is acceptable. If the training is part of a conference package presented by APCO or NENA that is related to “911 services”, generally, use of 911 funds to pay for registration fees and costs of attendance (meals,



mileage and room) would be appropriate. If the training is clearly for non-PSAP related operations such as firearms certification, emergency vehicle operation or general supervisory training not related to PSAP operations, it will be considered an inappropriate use.”

In accordance with this philosophy, it is the policy of the Council that all expenditures will be viewed in the light of the expenditures relation to the receiving, processing and transmitting of a 911 call. In general, the use of 911 funds must have a direct relationship to the performance of 911 and emergency communications functions performed by PSAP personnel who receive, process and transmit 911 calls to emergency responders. Further the Council believes that the intent of the legislature is to prohibit the purchase, replacement, upgrade or maintenance of subscriber radio equipment.

This policy may result in an expenditure being allowable for one PSAP and not for another. As an example, storm siren maintenance for a PSAP that utilizes the siren to notify fire responders of a 911 call reporting a fire, would be allowable, while that same maintenance for a PSAP that utilizes the siren only as a public notification system would not. Notifying the public of emergency situations has no relation to the receiving, processing and transmitting of a 911 call, while notifying responders of an active incident reported via 911 does.

10 Pre-Approval of Expenditure Procedure

A PSAP desiring to gain pre-approval of an expenditure, to ensure that the expenditure is an allowable use of 911 fee funds, shall use the following procedure:

1. Authorized PSAP personnel will access the Council web portal and navigate to the expenditure reporting module. Personnel will then select the pre-approval tab.
2. In the Question field, a detailed description of the proposed expenditure, including its nexus to the receipt, processing and transmission of a 911 call, will be entered. If the PSAP desires to submit supporting documentation (quotes, invoices, etc.) they may be uploaded on the pre-approval form.
3. The pre-approval request will then be submitted by clicking on the “Submit” button.
4. The 911 Liaison will review the submitted question, and if the question has not been previously answered, will forward the question to the Expenditure Review Committee, established in section 11 below, via group e-mail.
5. The Expenditure Review Committee members will debate the allowability of the expenditure and reach a decision on such. That decision will be related to the PSAP by the 911 Liaison through a portal response.
6. The 911 Liaison will save the group email debate of the expenditure to the web portal for archiving purposes.
7. If the proposed expenditure is found to not be allowable, and the PSAP wishes to appeal the decision of the Expenditure Review Committee to the full Council, they may do so by notifying the 911 Liaison via email.
8. The PSAP is not bound by the decision of either the Expenditure Review Committee or the Council and may elect to make the expenditure regardless of the decision. In the event that the PSAP elects to do so, at the time of expenditure review the Council will treat the expenditure as



a notice of appeal and will issue the demand letter for repayment pursuant to paragraph 4, Section 12 below.

11 Expenditure Review Procedure

The following procedure will be used for reviewing reported expenditures:

1. A committee of six to eight members, comprised of volunteer members of the Operations Committee and Kansas PSAP operations managers, will be formed in March of each year. The PSAP Liaison will serve as a non-voting Chair of the committee. Application to participate in this committee will be made to the PSAP Liaison.
2. The PSAP Liaison will compile a list of all reported expenditures from the portal. This list will include the record identifying number, vendor, amount of the expenditure, description, comments, and the allowable use description from the portal data for each expenditure. It will not include any information making the expenditure identifiable to a PSAP.
3. The committee will review the list and identify any expenditures that are questioned as to allowability based on the above expenditure review policy.
4. The PSAP Liaison will request additional information from the PSAP reporting the questioned expenditure. This information will be provided to the committee and a decision on allowability will be made.
5. A list of all expenditures found by the committee to be unallowable will be compiled into a list providing all of the information outlined in number two above and the reasoning of the committee in finding it unallowable. This list will be presented to the Council at a regular meeting and an up-down vote on each such expenditure will be made as to the allowability of the expenditure.
6. The PSAP Liaison will notify all PSAPs with expenditures that are determined to be unallowable under this procedure of such determination and advise the PSAP that they may either reimburse their 911 fund for the amount of the expenditure, or that they may appeal the decision. The PSAP will advise the PSAP that if they wish to appeal the decision that they may provide notice to the Council of the intent to appeal via the portal.

12 Expenditure Appeal Procedure

The following procedure will be used in the event that a PSAP wishes to appeal the decision of the Council that an expenditure is not allowable:

1. PSAP determines that they wish to appeal the Council's decision.
2. PSAP consults with their legal advisor and gains approval for moving forward with the appeal.
3. PSAP notifies the PSAP Liaison of its intent to appeal.
4. Upon notification of the intent to appeal, the Council issues a demand letter to the PSAP. The demand letter shall include:
 - a. The nature of the expenditure including the vendor name and the amount of the expenditure.



- b. The reason that the expenditure was found to be unallowable.
 - c. A demand for repayment of the amount of the expenditure, plus a 10% penalty, to the State Grant Fund pursuant to K.S.A. 12-5375(b).
 - d. The PSAPs right to appeal the decision of the Council and the process for doing so.
5. PSAP submits a notification of appeal on the portal within 15 days of the receipt of the demand letter.
6. Appeal is turned over to Kansas Office of Administrative Hearings for hearing and decision on appeal.
7. Depending on the hearing disposition, PSAP either remits payment of the demanded amount to the LCPA or the expenditure is determined to be allowable and the matter is closed.

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