

HOUSE BILL No. 2520

By Committee on Appropriations

3-10

9 AN ACT concerning the licensure of community mental health centers;
10 amending K.S.A. 75-3307b and repealing the existing section.

11

12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 75-3307b is hereby amended to read as follows: 75-
14 3307b. (a) The enforcement of the laws relating to the hospitalization of
15 mentally ill persons of this state in a psychiatric hospital and the diagnosis,
16 care, training or treatment of persons in community mental health centers
17 or facilities for the mentally ill, mentally retarded or other handicapped
18 persons is entrusted to the secretary of social and rehabilitation services.
19 The secretary may adopt rules and regulations on the following matters,
20 so far as the same are not inconsistent with any laws of this state:

21 (1) The licensing, certification or accrediting of private hospitals as
22 suitable for the detention, care or treatment of mentally ill persons, and
23 the withdrawal of licenses granted for causes shown;

24 (2) the forms to be observed relating to the hospitalization, admission,
25 transfer, custody and discharge of patients;

26 (3) the visitation and inspection of psychiatric hospitals and of all
27 persons detained therein;

28 (4) the setting of standards, the inspection and the licensing of all
29 community mental health centers which receive or have received any
30 state or federal funds, and the withdrawal of licenses granted for causes
31 shown;

32 (5) the setting of standards, the inspection and licensing of all facili-
33 ties for the mentally ill, mentally retarded or other developmentally dis-
34 abled persons receiving assistance through the department of social and
35 rehabilitation services which receive or have received after June 30, 1967,
36 any state or federal funds, or facilities where mentally ill, mentally re-
37 tarded or other developmentally disabled persons reside who require su-
38 pervision or require limited assistance with the taking of medication, and
39 the withdrawal of licenses granted for causes shown. The secretary may
40 adopt rules and regulations that allow the facility to assist a resident with
41 the taking of medication when the medication is in a labeled container
42 dispensed by a pharmacist. No license for a residential facility for eight
43 or more persons may be issued under this paragraph unless the secretary

1 of health and environment has approved the facility as meeting the li-
2 censing standards for a lodging establishment under the food service and
3 lodging act. No license for a residential facility for the elderly or for a
4 residential facility for persons with disabilities not related to mental illness
5 or mental retardation, or both, or related conditions shall be issued under
6 this paragraph;

7 (6) reports and information to be furnished to the secretary by the
8 superintendents or other executive officers of all psychiatric hospitals,
9 community mental health centers or facilities for the mentally retarded
10 and facilities serving other handicapped persons receiving assistance
11 through the department of social and rehabilitation services.

12 (b) An entity holding a license as a community mental health center
13 under paragraph (4) of subsection (a) on the day immediately preceding
14 the effective date of this act, but which does not meet the definition of a
15 community mental health center set forth in this act, shall continue to be
16 licensed as a community mental health center as long as the entity remains
17 affiliated with a licensed community mental health center and continues
18 to meet the licensing standards established by the secretary.

19 (c) *A community mental health center which has been licensed by the*
20 *secretary of social and rehabilitation services and which has also been*
21 *accredited by the commission on accreditation of rehabilitation facilities*
22 *or the joint commission on accreditation of health care organizations may*
23 *be granted a license renewal based on such accreditation.*

24 Sec. 2. K.S.A. 75-3307b is hereby repealed.

25 Sec. 3. This act shall take effect and be in force from and after its
26 publication in the statute book.