

SENATE BILL No. 414

By Committee on Judiciary

1-28

1 AN ACT concerning children and minors; relating to juvenile crisis
2 intervention centers; authorizing funding from the evidence-based
3 programs account to be used for licensed residential facilities that have
4 behavioral health crisis intervention programs for juveniles; amending
5 K.S.A. 2025 Supp. 65-536 and repealing the existing section.

6
7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 2025 Supp. 65-536 is hereby amended to read as
9 follows: 65-536. (a) A juvenile crisis intervention center is a facility that
10 provides short-term observation, assessment, treatment and case planning,
11 and referral for any juvenile who is experiencing a behavioral health crisis
12 and is likely to cause harm to self or others. Such centers shall:

13 (1) Address or ensure access to the broad range of services to meet
14 the needs of a juvenile admitted to the center, including, but not limited to,
15 medical, psychiatric, psychological, social, educational and substance
16 abuse-related services;

17 (2) not include construction features designed to physically restrict
18 the movements and activities of juveniles, but shall have a design,
19 structure, interior and exterior environment, and furnishings to promote a
20 safe, comfortable and therapeutic environment for juveniles admitted to
21 the center;

22 (3) implement written policies and procedures that include the use of
23 a combination of supervision, inspection and accountability to promote
24 safe and orderly operations; and

25 (4) implement written policies and procedures for staff monitoring of
26 all center entrances and exits.

27 (b) A juvenile crisis intervention center shall provide treatment to
28 juveniles admitted to such center, as appropriate while admitted.

29 (c) A juvenile crisis intervention center may be on the same premises
30 as that of another licensed facility. If the juvenile crisis intervention center
31 is on the same premises as that of another licensed facility, the living unit
32 of the juvenile crisis intervention center shall be maintained in a separate,
33 self-contained unit. No juvenile crisis intervention center shall be in a city
34 or county jail or a juvenile detention facility.

35 (d) (1) A juvenile may be admitted to a juvenile crisis intervention
36 center when:

1 (A) The head of such center determines such juvenile is in need of
2 treatment and likely to cause harm to self or others;

3 (B) a qualified mental health professional from a community mental
4 health center has given written authorization for such juvenile to be
5 admitted to a juvenile crisis intervention center; and

6 (C) no other more appropriate treatment services are available and
7 accessible to the juvenile at the time of admission.

8 (2) A juvenile may be admitted to a juvenile crisis intervention center
9 for not more than 30 days. A parent with legal custody or legal guardian of
10 a juvenile placed in a juvenile crisis intervention center may remove such
11 juvenile from the center at any time. If the removal may cause the juvenile
12 to become a child in need of care pursuant to K.S.A. 38-2202(d), and
13 amendments thereto, the head of a juvenile crisis intervention center may
14 report such concerns to the department for children and families or law
15 enforcement or may request the county or district attorney to initiate
16 proceedings pursuant to the revised Kansas code for care of children. If the
17 head of a juvenile crisis intervention center determines the most
18 appropriate action is to request the county or district attorney to initiate
19 proceedings pursuant to the revised Kansas code for care of children, the
20 head of such center shall make such request and shall keep such juvenile in
21 the center for an additional 24-hour period to initiate the appropriate
22 proceedings.

23 (3) When a juvenile is released from a juvenile crisis intervention
24 center, the managed care organization, if the juvenile is a medicaid
25 recipient, and the community mental health center serving the area where
26 the juvenile is being discharged shall be involved with discharge planning.
27 Within seven days prior to the discharge of a juvenile, the head of the
28 juvenile crisis intervention center shall give written notice of the date and
29 time of the discharge to the patient, the managed care organization, if the
30 juvenile is a medicaid recipient, and the community mental health center
31 serving the area where the juvenile is being discharged, and the patient's
32 parent, custodian or legal guardian.

33 (e) (1) Upon admission to a juvenile crisis intervention center, and if
34 the juvenile is a medicaid recipient, the managed care organization shall
35 approve services as recommended by the head of the juvenile crisis
36 intervention center. Within 14 days after admission, the head of the
37 juvenile crisis intervention center shall develop a plan of treatment for the
38 juvenile in collaboration with the managed care organization.

39 (2) Nothing in this subsection shall prohibit the department of health and
40 environment from administering or reimbursing state medicaid services to
41 any juvenile admitted to a juvenile crisis intervention center pursuant to a
42 waiver granted under section 1915(c) of the federal social security act,
43 provided that such services are not administered through a managed care

1 delivery system.

2 (3) Nothing in this subsection shall prohibit the department of health
3 and environment from reimbursing any state medicaid services that qualify
4 for reimbursement and that are provided to a juvenile admitted to a
5 juvenile crisis intervention center.

6 (4) Nothing in this subsection shall impair or otherwise affect the
7 validity of any contract in existence on July 1, 2018, between a managed
8 care organization and the department of health and environment to provide
9 state medicaid services.

10 (5) On or before January 1, 2019, the secretary of health and
11 environment shall submit to the United States centers for medicare and
12 medicaid services any approval request necessary to implement this
13 subsection.

14 (f) The secretary for children and families, in consultation with the
15 attorney general, shall promulgate rules and regulations to implement the
16 provisions of this section on or before January 1, 2019.

17 (g) The secretary for children and families shall annually report
18 information on outcomes of juveniles admitted into juvenile crisis
19 intervention centers to the J. Russell (Russ) Jennings joint committee on
20 corrections and juvenile justice oversight, the corrections and juvenile
21 justice committee of the house of representatives and the judiciary
22 committee of the senate. Such report shall include:

23 (1) The number of admissions, releases and the lengths of stay for
24 juveniles admitted to juvenile crisis intervention centers;

25 (2) services provided to juveniles admitted;

26 (3) needs of juveniles admitted determined by evidence-based
27 assessment; and

28 (4) success and recidivism rates, including information on the
29 reduction of involvement of the child welfare system and juvenile justice
30 system with the juvenile.

31 (h) The secretary of corrections may enter into memorandums of
32 agreement with other cabinet agencies to provide funding, not to exceed
33 \$2,000,000 annually, from the evidence-based programs account of the
34 state general fund or other available appropriations for juvenile crisis
35 intervention services *provided by a licensed juvenile crisis intervention*
36 *center or other residential facility licensed by the Kansas department for*
37 *children and families or the Kansas department for aging and disability*
38 *services that has a program purpose of behavioral health crisis*
39 *intervention for juveniles.*

40 (i) For the purposes of this section:

41 (1) "Behavioral health crisis" means behavioral and conduct issues
42 that impact the safety or health of a juvenile, members of the juvenile's
43 household or family or members of the community, including, but not

1 limited to, non-life threatening mental health and substance abuse
2 concerns;

3 (2) "head of a juvenile crisis intervention center" means the
4 administrative director of a juvenile crisis intervention center or such
5 person's designee;

6 (3) "juvenile" means a person who is less than 18 years of age;

7 (4) "likely to cause harm to self or others" means that a juvenile, by
8 reason of the juvenile's behavioral health condition, mental disorder or
9 mental condition is likely, in the reasonably foreseeable future, to cause
10 substantial physical injury or physical abuse to self or others or substantial
11 damage to another's property, as evidenced by behavior threatening,
12 attempting or causing such injury, abuse or damage;

13 (5) "treatment" means any service intended to promote the mental
14 health of the patient and rendered by a qualified professional, licensed or
15 certified by the state to provide such service as an independent practitioner
16 or under the supervision of such practitioner; and

17 (6) "qualified mental health professional" means a physician or
18 psychologist who is employed by a participating mental health center or
19 who is providing services as a physician or psychologist under a contract
20 with a participating mental health center, a licensed masters level
21 psychologist, a licensed clinical psychotherapist, a licensed marriage and
22 family therapist, a licensed clinical marriage and family therapist, a
23 licensed professional counselor, a licensed clinical professional counselor,
24 a licensed specialist social worker or a licensed master social worker or a
25 registered nurse who has a specialty in psychiatric nursing, who is
26 employed by a participating mental health center and who is acting under
27 the direction of a physician or psychologist who is employed by, or under
28 contract with, a participating mental health center.

29 (j) This section shall be a part of and supplemental to article 5 of
30 chapter 65 of the Kansas Statutes Annotated, and amendments thereto.

31 Sec. 2. K.S.A. 2025 Supp. 65-536 is hereby repealed.

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