

Physical Environment Waivers for Rural Emergency Hospitals; South Central Regional Mental Health Hospital; HB 2249

HB 2249 authorizes the Secretary for Aging and Disability Services (Secretary), upon application by a rural emergency hospital (REH) and compliance with certain requirements, to grant a physical environment waiver (waiver) for existing nursing facilities to a REH to provide skilled nursing facility care. The bill also establishes the South Central Regional Mental Health Hospital, creates a fee fund, updates the catchment areas for the state hospitals, and renames “Parsons State Hospital and Training Center” as “Parsons State Hospital.”

Requirements for Physical Environment Waiver

The bill authorizes the Secretary, after application by an REH, to grant a waiver to the REH to transition a maximum of 10 swing beds to skilled nursing facility beds if the REH:

- Is licensed as an REH under the Act;
- Was licensed as a hospital immediately prior to licensure as an REH; and
- Provided skilled nursing facility services or critical access hospital swing bed services to patients for a minimum of 12 months without an immediate jeopardy finding while being licensed as a hospital.

Definitions

The bill references definitions for “critical access hospital” (KSA 65-468) and “hospital” (KSA 65-425) in continuing law.

South Central Regional Mental Health Hospital

The bill establishes the South Central Regional Mental Health Hospital (South Central) in Wichita (Sedgwick County) to expand access to mental health beds in south-central Kansas. The bill provides that South Central will follow the same rules and regulations as other state hospitals.

South Central Regional Mental Health Hospital Fee Fund

The bill creates the South Central Regional Mental Health Hospital Fee Fund (Fund) in the State Treasury. The Fund is administered by the Kansas Department for Aging and Disability Services. All expenditures from the Fund must be used in accordance with appropriation acts upon warrants of the Director of Accounts and Reports issued after vouchers are approved by the Superintendent of South Central (Superintendent) or the Superintendent’s designees.

State Security Hospital Extension at South Central

The Secretary is authorized and directed to establish, equip, and maintain, in connection with and as part of South Central, suitable buildings for an extension to the State Security Hospital for the purpose of holding in custody, examining, treating, and caring for mentally ill persons committed or ordered to the State Security Hospital by the district courts; inmates who may be transferred for care and treatment; or adult patients who may be transferred from any state hospital for care and treatment.

The Secretary is authorized and empowered to supervise and manage the extension of the State Security Hospital. The Superintendent of Larned State Hospital (LSH) is the Superintendent of the South Central Extension.

Catchment Areas

The bill establishes the catchment area for South Central as the following counties:

- Sedgwick;
- Butler;
- Cowley;
- Harvey; and
- Sumner.

The bill also updates the catchment areas for Osawatomie State Hospital to remove Butler, Cowley, and Sedgwick counties and add Cloud County. The bill removes Harvey and Sumner counties from the catchment area for LSH and adds Ottawa County.

The designation of a county to a particular catchment area does not prevent the admission of persons to a different state hospital when there are insufficient capacities and resources at the state hospital within a person's catchment area.