

Kansas Administrative Regulations

Kansas Department for Aging and Disability Services

Article 52.—Crisis Intervention Centers

26-52-1. Definitions.

Each of the following terms, as used in this article of the department's regulations, shall have the meaning specified in this regulation:

(a) Each of the following terms shall have the meaning specified in K.S.A. 59-29c02, and amendments thereto:

- (1) "Behavioral health professional";
- (2) "crisis intervention center";
- (3) "crisis intervention center service area";
- (4) "domestic partner";
- (5) "head of a crisis intervention center";
- (6) "law enforcement officer";
- (7) "licensed addiction counselor";
- (8) "physician assistant";
- (9) "psychologist";
- (10) "qualified mental health professional"; and
- (11) "treatment."

(b) Each of the following terms shall have the meaning specified in K.S.A. 59-2946, and amendments thereto:

- (1) "Mentally ill person";
- (2) "mentally ill person subject to involuntary commitment for care and treatment";

and

- (3) "lacks capacity to make an informed decision concerning treatment."

(c) Each of the following terms shall have the meaning specified in K.S.A. 59-29b46, and amendments thereto:

- (1) "Person with an alcohol or substance abuse problem";

(2) "person with an alcohol or substance abuse problem subject to involuntary commitment for care and treatment"; and

(3) "incapacitated by alcohol or any substance."

(d) Each of the following terms shall have the meaning specified in this subsection:

(1) "Administrative Director" means the person employed by a crisis intervention center who is responsible for the daily operation of the center and who meets the requirements for an administrative director in K.A.R. 26-52-9.

(2) "Applicant" means a governmental entity, governmental subdivision, or private entity registered to do business with the Kansas secretary of state that has applied for a license but which has not yet been granted a license or provisional license to operate a crisis intervention center.

(3) "Authorized medical practitioner" means the following:

(A) A physician;

(B) a physician's assistant (PA) licensed by the Kansas board of healing arts, and who is functioning under the general supervision and written protocols of a physician;

(C) an Advanced Practice Registered Nurse (APRN) licensed by the Kansas state board of nursing, and qualified to evaluate, assess, and treat mental health disorders and alcohol and substance abuse addictions and disorders; or

(D) a professional nurse licensed by the Kansas state board of nursing, and who is functioning under the general supervision and written protocols of a physician.

(4) "Auxiliary staff" or "auxiliary staff member" means a type of staff member working at a crisis intervention center in food services, clerical services, education and training, maintenance, or other similar service that indirectly impacts services provided to patients.

(5) "Case manager" means a person with a behavioral sciences degree who is designated by the head of a crisis intervention center to coordinate specific duties in the patient admission, transfer and discharge planning process, location of alternative placement for the patient's treatment pursuant to K.S.A. 59-29c08, and amendments thereto, and other general patient coordination services.

(6) "Center" means the crisis intervention center. If a community mental health center operates a crisis intervention center, the community mental health center shall comply with this article.

(7) "Clinical Director" means the behavioral health professional at a crisis intervention center who is responsible for the evaluation services, mental health services and alcohol and substance abuse services provided by the center.

(8) "Co-occurring condition" means a disorder caused by mental illness and alcohol and substance addiction or abuse.

(9) "Days" means calendar days unless specifically stated otherwise.

(10) "Direct care staff" or "direct care staff member" means a staff member working at a crisis intervention center whose primary responsibility is to implement the daily operations of the center, including providing direct supervision of, interaction with, and protection of the patients.

(11) "Direct supervision" means the physical presence of direct care staff members in proximity of the patients to allow for interaction with patients, observation of the patients' movements, activities, and behaviors to monitor each of the patient's safety and wellbeing, to monitor the general safety and security of the center, and can recognize and report to a professional staff member per the center's policies and procedures when additional safety and security measures should be implemented.

(12) "Discharge" means the final and complete release from treatment, by one of the following:

(A) The head of the crisis intervention center acting pursuant to K.S.A. 59-29c08, and amendments thereto; or

(B) by an order of a court issued pursuant to K.S.A. 59-29c08, and amendments thereto.

(13) "Discharge plan" means the plan that is developed by the crisis intervention center to provide instructions to the patient and, if applicable, their legal representative, upon the patient's discharge from the center. The discharge plan communicates important information about the patient's course of treatment and recommendations for follow-up care with a goal of improving patient outcomes.

(14) "Evacuation" means the process of removing patients from an endangered area to a temporary site as provided in the emergency plan for the crisis intervention center.

(15) "Facility" for purposes of this article only means a residential care facility as defined by K.S.A. 39-2002(n), and amendments thereto.

(16) "Hospital" means either of the following:

(A) a hospital as defined in K.S.A. 65-425, and amendments thereto; or

(B) a psychiatric hospital as defined in K.S.A. 39-2002, and amendments thereto.

(17) "In-service training" means job-related training provided for staff members and volunteers.

(18) "Involuntary patient" means a person admitted and detained by a crisis intervention center pursuant to K.S.A. 59-29c08, and amendments thereto, after receipt of one of the following:

(A) An application for emergency observation and treatment presented by a law enforcement officer pursuant to K.S.A. 59-29c06, and amendments thereto;

(B) an application for emergency observation and treatment presented by an adult pursuant to K.S.A. 59-29c07, and amendments thereto; or

(C) a court order pursuant to K.S.A. 59-29c08, and amendments thereto.

(19) "Licensed beds" means the specific beds within a crisis intervention center which the center is licensed by the department to operate for purposes of providing evaluation and treatment services for patients pursuant to K.S.A. 59-29c08, and amendments thereto.

(20) "Likely to cause harm to self or others" means that the person, by reason of the person's mental disorder pursuant to K.S.A. 59-2946, and amendments thereto, or by reason of the person's use of alcohol or any substance or co-occurring conditions pursuant to K.S.A. 59-29b46, and amendments thereto, meets one of the following:

(A) Is likely, in the reasonably foreseeable future, to cause substantial physical injury or physical abuse to self or others as evidenced by behavior threatening, attempting, or causing such injury, abuse or damage;

(B) is likely, in the reasonably foreseeable future to cause substantial damage to another's property as evidenced by behavior threatening, attempting, or causing such injury, abuse, or damage; except the harm threatened, attempted, or caused must be of

such a value and extent that the state's interest in protecting the property from such harm outweighs the person's interest in personal liberty; or

(C) is substantially unable, except for reason of indigency, to provide for any of the person's basic needs, such as food, clothing, shelter, health or safety, causing a substantial deterioration of the person's ability to function on the person's own.

(21) "Patient" means a person who is a voluntary patient, a proposed patient, or an involuntary patient.

(22) "Physician" means a person licensed by the Kansas board of healing arts to practice either medicine and surgery or osteopathy.

(23) "Professional staff" or "professional staff member" means a staff member who is working at the crisis intervention center or provides consultant services as needed, including the following:

(A) The clinical director;

(B) a behavioral health professional;

(C) a professional nurse licensed by the Kansas state board of nursing;

(D) an advanced practice registered nurse (APRN);

(E) a case manager; and

(F) a dietitian licensed by the Department.

(24) "Proposed patient" means a person, 18 years of age or older, for whom an application for emergency observation and treatment is submitted to the center to admit and detain the person for emergency observation and treatment by one of the following:

(A) A law enforcement officer pursuant to K.S.A. 59-29c06, and amendments thereto; or

(B) any adult pursuant to K.S.A. 59-29c07, and amendments thereto.

(25) "Secretary" means the secretary of the department for aging and disability services.

(26) "Staff member" means any person who is employed by, or under contract with, a crisis intervention center, including members of auxiliary staff, direct care staff, and professional staff.

(27) "Treatment plan" means the initial diagnoses and treatment goals established for a patient upon admission to a crisis intervention center.

(28) "Tuberculosis test" means either the Mantoux skin test or an interferon gamma release assay (IGRA).

(29) "Voluntary patient" means a person who is admitted and receiving evaluation and treatment at a crisis intervention center pursuant to K.S.A. 59-29c04, and amendments thereto.

(30) "Volunteer" means a person who is unpaid and provides services at the crisis intervention center, which are similar in nature to the services performed by an auxiliary staff member, professional staff, or direct care staff member.

(31) "Wellness Recovery Action Plan" or "WRAP" is a personalized recovery system of wellness tools and action plans developed by a person with a mental disorder and supporters of the person's choice, including peer support counselors, health care professionals, and behavioral health care professionals, to provide planned responses from the person to reduce, modify or eliminate uncomfortable or distressing feelings or behaviors and to provide planned responses from others during periods when the person is unable to function and make decisions for their own health, safety, and welfare.

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***** Authenticated Kansas Administrative Regulation *****