

Kansas Administrative Regulations

Kansas Department for Aging and Disability Services

Article 52.—Crisis Intervention Centers

26-52-9. Personnel qualifications.

(a) Each staff member and volunteer working or volunteering in a crisis intervention center shall be reasonably qualified by the temperament, emotional maturity, judgment, and understanding of adults with mental illness, alcohol and substance abuse, or co-occurring conditions necessary to maintain the health, comfort, safety, and welfare of the patients.

(b) Each staff member performing the duties of more than one position shall meet the minimum qualifications for each position held.

(c) Prior to working in a crisis intervention center, each staff member and each volunteer shall meet the following requirements:

(1) Each staff member and volunteer who will have contact with patients shall provide a statement from an authorized medical practitioner, based upon an in-person examination conducted within the preceding year, on a form provided by the department stating one of the following:

(A) No physical or mental impairment prevents the staff member or volunteer from providing care for patients or would otherwise represent a direct threat to the health, safety, or welfare of others; or

(B) a reasonable accommodation of a physical or mental impairment is required for the staff member to perform their job duties of providing care and supervision of patients, and the accommodation specified is sufficient to enable the staff member to perform their job duties without representing a direct threat to the health, safety, or welfare of others.

(2) Each staff member and volunteer involved in food preparation or food service shall provide a statement from an authorized medical practitioner, based upon an in-person examination conducted within the preceding year, on a form provided by the department stating one of the following:

(A) No physical or mental impairment prevents the staff member or volunteer from preparing or serving food or would otherwise represent a direct threat to the health, safety, or welfare of others; or

(B) a reasonable accommodation of a physical or mental impairment is required for the staff member to perform their job duties of preparing or serving food, and the accommodation specified is sufficient to enable the staff member to perform their job duties without representing a direct threat to the health, safety, or welfare of others.

(3) A record of a tuberculosis test or X-ray obtained not more than two years prior to commencing work or volunteering in the center shall be provided by each staff member and volunteer. If there is a positive tuberculosis test or a history of a previous positive tuberculosis test, a chest X-ray shall be required unless there is documentation of a normal chest X-ray within the last 12 months. Proof of completion of recommended treatment, according to the direction of the Kansas department of health and environment's tuberculosis prevention and control program, shall be required. Documentation of each tuberculosis test, X-ray, and treatment results for each staff member and volunteer shall be kept in a confidential manner separate from personnel records.

(A) Compliance with the Kansas department of health and environment's tuberculosis prevention and control program shall be required following each exposure of a staff member to an active case of tuberculosis disease. Documentation of the results of tuberculosis tests, X-rays, and treatment for each staff member shall be kept in a confidential manner separate from personnel records.

(B) Each volunteer shall present documentation showing no active tuberculosis before serving in the center.

(4) If an applicant, licensee, or the secretary has a reasonable belief, based on objective evidence, that a staff member has a medical condition that will pose a direct threat to the health, safety, or welfare of patients, a medical examination shall be requested to determine whether the staff member is fit to perform that individual's job duties. The licensee shall pay all costs associated with the medical examination. The licensee shall not permit a staff member to perform the duties of their position in the center until the staff member provides a statement from an authorized medical

practitioner on a form provided by the department, based upon an in-person examination conducted after the request, stating one of the following:

(A) No physical or mental impairment prevents the staff member from providing care and treatment for patients or would otherwise represent a direct threat to the health, safety, or welfare of others; or

(B) a reasonable accommodation of a physical or mental impairment is required for the staff member to perform their job duties, and the specified accommodation of a physical or mental impairment is sufficient to enable the staff member to perform their job duties without representing a direct threat to the health, safety, or welfare of others.

(5) Each licensee shall maintain records of all statements by an authorized medical practitioner concerning a staff member's ability or inability to perform the job duties of their position, which shall be kept confidential and maintained separate from personnel records.

(d)(1) Each center shall have a full-time administrative director who is responsible for the overall management and operation of the crisis intervention center, including compliance with this article and the center's policies and procedures.

(2) The administrative director shall meet the following requirements:

(A) Is at least 21 years of age;

(B) holds at least a bachelor's degree in nursing, social work or a related field;

(C) possesses a minimum of three years of supervisory experience;

(D) possesses the requisite experience serving persons with mental illness, alcohol and substance abuse, or co-occurring conditions;

(E) possesses the knowledge of the principles, practices, methods, and techniques of administration and management;

(F) possesses the ability to train, supervise, plan, direct, and evaluate the work of others, as evidenced by experience, training, or a combination of both;

(G) possesses the ability to establish and maintain effective working relationships with others;

(H) possesses the ability to establish and maintain effective working relationships with governmental agencies and as defined by K.S.A. 39-2002, and amendments

thereto, community mental health centers, hospitals, facilities or providers located in the crisis intervention center service area;

(I) knowledge of the methods and techniques used in a residential setting for adults with mental illness, alcohol and substance abuse, or co-occurring conditions; and

(J) knowledge of principles and techniques of behavioral and mental health treatment and care of adults;

(3) The administrative director may designate the clinical director to perform the duties of the head of the crisis intervention center required pursuant to K.S.A. 59-29c08, 59-29c11, and 59-29c12, and amendments thereto.

(4) Each licensee shall notify the department in writing no later than three days after the occurrence of a change in the administrative director.

(e) Each center shall have a clinical director who is licensed by the Kansas behavioral sciences regulatory board, the Kansas board of healing arts, or the Kansas board of nursing to diagnose and treat mental and behavioral disorders or alcohol and substance abuse addictions and disorders.

(1) Each clinical director shall possess three years of combined experience working in one or more of the following:

(A) A physician's office that provides services to persons with mental and behavioral disorders or persons with alcohol and substance abuse addictions and disorders;

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

(C) a community health center, hospital, facility, or provider as defined by K.S.A. 39-2002, and amendments thereto.

(2) The clinical director may serve as the designee of the administrative director to perform the duties of the head of the crisis intervention center required pursuant to K.S.A. 59-29c08, 59-29c11, and 59-29c12, and amendments thereto.

(3) If the clinical director is not available to perform the specified duties of the head of the crisis intervention center required pursuant to K.S.A. 59-29c08, 59-29c11, and 59-29c12, and amendments thereto, the clinical director shall designate a behavioral health professional who is available to perform those specified duties of the head of the crisis intervention center.

(4) Each licensee shall notify the department no later than three days after the occurrence of a change in the clinical director.

(f) Professional staff or consultants shall be available to provide care and treatment for patients, and shall include licensed physicians, dentists, nurses, clergy, social workers, psychologists, psychiatrists, pharmacists, and dieticians.

(g) Each professional staff member shall maintain current licensure, certification, or registration required for the staff member's job duties.

(h) Each crisis intervention center shall have a social worker or case manager available to assist with the implementation of the treatment and discharge plan for each patient.

(i) Each direct care staff member shall meet the following requirements:

- (1) Be 21 years of age or older;
- (2) have a high school diploma or equivalent;
- (3) have completed training required by this article; and
- (4) have completed annual in-service training as required by this article.

(j)(1) Auxiliary staff members shall be available as needed for the operation of the crisis intervention center and the provision of services to patients.

(2) An auxiliary staff member shall not be included in meeting the minimum ratio of direct care staff members to patients required by this article.

(3) Each auxiliary staff member working in food service shall demonstrate competence with all the following requirements:

- (A) Knowledge of the nutritional needs of patients;
- (B) understanding of food preparation and service;
- (C) sanitary food handling and storage methods; and
- (D) understanding of individual, cultural, and religious food preferences.

(k) Each licensee shall maintain current information for each staff member in the crisis intervention center, including the following:

- (1) Name, address, and telephone number;
- (2) date of hire and date of initial patient contact;
- (3) past employment, experience, and education;
- (4) professional licensure or credentials;

- (5) job description signed by the staff member;
- (6) annual reviews; and
- (7) any disciplinary actions.

(l)(1) If the licensee engages a third party for staffing the center, the licensee shall have a written agreement with the third party describing the manner and time frame in which the services are to be provided, the specific services to be provided, and specification that qualified individuals will provide required services. The licensee shall maintain records on each contract staff person assigned to work in the center, including the following:

- (A) The staff person's name;
- (B) the dates of their contract assignment to the center;
- (C) the staff person's credentials; and
- (D) the position held and their job duties.

(2) If there are any discipline issues with the contract staff, the licensee shall address concerns with the third-party staffing agency, which depending on the severity of the concern raised by the center, may include termination of the assignment to continue working as contract staffing for the crisis intervention center.

(Authorized by and implementing K.S.A. 39-2004; effective, T-26-2-16-24, Feb. 16, 2024; effective, T-26-6-10-24, June 10, 2024; effective June 28, 2024.)

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