Kansas Administrative Regulations

Department of Health and Environment

Article 34.—Hospitals—Part 2. Ambulatory Surgical Centers.

28-34-53. Governing authority.

(a) The governing authority shall be the ultimate authority in the ambulatory surgical center, responsible for its organization and administration, including appointment of the medical staff, employment of an administrator, review and revision of policies and procedures, and maintenance of a physical plant equipped and staffed to adequately meet the needs of the patients.

(b) The governing authority shall be organized in accordance with its approved bylaws, policies, and procedures and shall be in conformance with the Kansas statutes governing ambulatory surgical centers. A copy of the ambulatory surgical center's current bylaws shall be available for review by the licensing department.

(c) Bylaws of the governing authority shall provide for the selection and appointment of medical staff members based on defined criteria and in accordance with an established procedure for processing and evaluating applications for memberships. Each application for appointment and reappointment shall be submitted in writing and shall signify agreement of the applicant to conform with the bylaws of both the governing authority and medical staff and to abide by professional ethical standards.

(d) The governing authority shall demonstrate evidence of a liaison and close working relationship with the medical staff.

(e) The governing authority shall be responsible for the implementation of a risk management program, in accordance with K.S.A. 65-4921 et seq. and amendments thereto, and K.A.R. 28-52-1 through 28-52-4.

(f) The governing authority shall select and employ an administrator and shall notify the department of any change of administrator within five days after the change has been made.

(g) Each patient admitted to the ambulatory surgical center shall be under the care of a practitioner who is a member of the medical staff.

(h) The governing authority shall ensure that the ambulatory surgical center complies with the following:

(1) Defines, in writing, the scope of services provided;

(2) has an adequate number of qualified personnel; and

(3) maintains effective quality control, quality improvement, and data management activities.

(Authorized by and implementing K.S.A. 65-431; effective Jan. 1, 1974; amended April 20, 2001.)

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