

Kansas Administrative Regulations

Kansas Department for Aging and Disability Services

Article 39.—Adult Care Homes

26-39-503. Operator course.

(a) Each applicant shall have successfully completed an operator course on principles of assisted living that is approved by the secretary.

(b) Each operator course shall be conducted by one of the following training providers:

- (1) A long-term care provider organization;
- (2) a community college;
- (3) an area vocational-technical school;
- (4) a postsecondary school under the jurisdiction of the state board of regents; or
- (5) an equivalent training provider approved by the secretary.

(c) Each training provider shall ensure that each individual responsible for administering the operator course has at least two years of professional experience in long-term care or as an instructor of long-term care and meets one of the following requirements:

- (1) Has a bachelor's degree; or
- (2) is a registered professional nurse.

(d) Each training provider seeking approval to conduct an operator course shall submit the following at least three weeks before the first anticipated start date of the operator course:

(1) A course outline that includes all content areas in the department's document titled "operator course guideline," dated July 31, 2014 and hereby adopted by reference. The operator course shall consist of at least 45 clock-hours of instruction, excluding breaks, lunch, and test time, and a test;

(2) the policy and procedure to be followed to maintain test security, which shall include at least the following:

- (A) Securing the tests in a manner that ensures confidentiality;

(B) not providing the test content to any individual before test time; and

(C) notifying the department of any breach in the security of the test;

(3) a list of the printed materials provided to each participant, which shall include at least the following:

(A) The Kansas adult care home statutes and regulations for assisted living facilities and residential health care facilities, home pluses, and adult day cares;

(B) a functional capacity screening manual and form;

(C) the "dietary guidelines for Americans" and "tuberculosis (TB) guidelines for adult care homes," as adopted by reference in K.A.R. 26-39-105; and

(D) an example of a negotiated service agreement; and

(4) after initial approval, submit each proposed change in the operator course to the secretary for approval before the change is implemented.

(e) If the operator course does not meet or continue to meet the requirements for approval or if there is a material misrepresentation of any fact with the information submitted by the training provider to the department, approval may be withheld, made conditional, limited, or withdrawn by the secretary.

(f) Each approved training provider shall meet the following requirements:

(1) Notify the department, electronically or in writing, at least three weeks before each operator course, including course dates, time, and location;

(2) administer and score the test provided by the department after each individual's completion of the operator course. The individual may have access to the applicable statutes and regulations during the test. A score of 80 percent or higher shall constitute a passing score. Any individual who fails the test may retake the test one time. An alternative test version shall be used. Each individual who fails the test a second time shall be required to retake the operator course;

(3) within three weeks after the end of the operator course, provide a certificate of completion to each individual who completed the operator course and passed the test. Each certificate shall contain the following:

(A) A statement that the named individual completed the operator course; and

(B) the course approval number assigned by the department;

(4) maintain a record of the certificates issued to the individuals who have successfully completed the operator course; and

(5) within three weeks after the end of the operator course, submit to the department a copy of each certificate of completion issued and a list of the individuals who successfully completed the operator course. The list shall contain the following:

(A) The course approval number;

(B) the name, address, and date of birth of each individual; and

(C) any other information as required by the secretary.

(Authorized by and implementing L. 2014, ch. 94, sec. 4; effective, T-26-9-2-14, Sept. 2, 2014; effective Dec. 1, 2014.)

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