

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 64.—Developmental Disabilities—Community Developmental Disability Organizations (CDDO's)

30-64-29. Gatekeeping.

(a) Each request for admission to an ICF/MR or state institution shall be submitted to the CDDO responsible for the county in which the person is currently residing. The CDDO shall implement a procedure to review each request for admission to an ICF/MR or state institution. The procedure shall result in the following:

(1) Determining whether or not the person requesting admission has a developmental disability and is eligible for ICF/MR services using procedures and standards specified by the commission;

(2) determining if ICF/MR placement is consistent with the person's preferred lifestyle as determined consistent with K.A.R. 30-63-21;

(3) informing the person, the person's family, and the person's guardian if one has been appointed, of all services or supports that are available or could be made available within 90 days in or near the person's home county, and of the person's rights pursuant to the developmental disabilities reform act and implementing regulations, the content of which shall be approved by the commission;

(4) offering to provide or arranging to provide these services or supports; and

(5) providing the commission with the results of items stipulated in (a)(1) through (a)(4) of this subsection for each person who requests admission to an ICF/MR or state institution, using forms specified by the commission, within 15 days of receiving information necessary to determine eligibility and preferred lifestyle.

(b) As described in this subsection, the CDDO shall implement a procedure to, at least annually, review the persons living in ICFs/MR and state institutions. The procedure shall result in all of the following:

(1) The CDDO whose service area includes the county in which the ICF/MR or state institution is located meets these requirements:

(A) Collecting information about the persons living in ICFs/MR and state institutions and submitting this data to the commission using standards, forms, and procedures specified by the commission; and

(B) making a determination regarding what the person's home county is and providing the CDDO whose service area includes the person's home county of the person's name and address, and the name and address of the person's family and guardian, if one has been appointed.

(2) The CDDO whose service area includes the person's home county informs the person, the person's family, and the person's guardian, if one has been appointed, of all services or supports that are available or could be made available in or near the person's home county, and of the person's rights pursuant to the developmental disabilities reform act and implementing regulations, the content of which shall be approved by the commission.

(3) The CDDO whose service area includes the person's home county provides or arranges to provide these services or supports if the person or the person's guardian, if one has been appointed, chooses them.

(c) This regulation shall take effect on and after October 1, 1998.

(Authorized by and implementing K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

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