Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—Psychiatric Residential Treatment Facilities (PRTF).

28-4-1262. Behavior management.

(a) Policies and procedures. Each permittee and each licensee shall implement policies and procedures for the behavior management of residents.

(1) Written policies shall provide for a behavior management system that assists residents to develop inner control and manage their own behavior in a socially acceptable manner. Procedures and practice shall include expectations that are age-appropriate and allow for special abilities and limitations.

(2) Written rules of conduct shall define expected behaviors.

(A) A rule book describing the expected behaviors shall be given to each resident and each direct care staff member.

(B) An acknowledgment of receipt of the rule book shall be signed by each resident and kept in each resident's file.

(C) If a literacy or language problem prevents a resident from understanding the rule book, a staff member or translator shall assist the resident in understanding the rules.

(3) Each staff member and each volunteer who has direct contact with residents shall be informed of the rules of resident conduct, the rationale for the rules, and the intervention options available for problem or conflict resolution, diffusion of anger, and de-escalation methods.

(b) Prohibited punishment. Each permittee and each licensee shall ensure that each resident is protected against all forms of neglect, exploitation, and degrading forms of discipline.

(1) No staff member or volunteer shall use any of the following means or methods of punishment of a resident:

(A) Punishment that is humiliating, frightening, or physically harmful to the resident;

(B) corporal punishment, including hitting with the hand or any object, yanking arms or pulling hair, excessive exercise, exposure to extreme temperatures, and any other measure that produces physical pain or threatens the resident's health or safety;

(C) restricting movement by tying or binding;

(D) confining a resident in a closet, box, or locked area;

(E) forcing or withholding food, rest, or toilet use;

(F) mental and emotional cruelty, including verbal abuse, derogatory remarks about a resident or the resident's family, statements intended to shame, threaten, humiliate, or frighten the resident, and threats to expel a resident from the facility; or

(G) placing soap, or any other substance that stings, burns, or has a bitter taste, in the resident's mouth or on the tongue or any other part of the resident's body.

(2) No staff member or volunteer shall make sexual remarks or advances toward, or engage in physical intimacies or sexual activities with, any resident.

(3) No staff member or volunteer shall exercise undue influence or duress over any resident, including promoting sales of services or goods, in a manner that would exploit the resident for the purpose of financial gain, personal gratification, or advantage of the staff member, volunteer, or a third party.

(c) Medications, remedies, and drugs. Each staff member and each volunteer shall be prohibited from using medications, herbal or folk remedies, or drugs to control or manage any resident's behavior, except as prescribed by a licensed physician, a physician's assistant operating under a written protocol as authorized by a responsible physician, or an APRN operating under a written protocol as authorized by a responsible physician and operating under the APRN's scope of practice.

(d) Publicity or promotional activities. No resident shall be forced to participate in publicity or promotional activities.

(Authorized by and implementing K.S.A. 2013 Supp. 65-508 and 65-535; effective, T-28-12-17-13, Dec. 17, 2013; effective March 28, 2014.)

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