Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—Group Boarding Homes and Residential Centers for Children and Youth.

28-4-273. Admission policies.

(a) Written admission policies shall be prepared by the applicant in accordance with goals and purposes of the facility. The policies shall include a nondiscrimination statement.

(b) Children under three years of age shall be given care in a residential facility only as follows:

(1) To provide emergency care for not more than 30 days; or

(2) To keep siblings together for a maximum of 90 days.

(c) Any facility not specifically designed to serve developmentally disabled persons shall admit residents with special problems only as follows:

(1) Any person with mild development disabilities shall be enrolled at the discretion of the licensee.

(2) Any person showing significant developmental disabilities, including severe mental retardation, emotional disturbance or physical handicap, shall be enrolled at the discretion of the licensee following a developmental evaluation of the person and approval from the Kansas department of health and environment and the Kansas state department of social and rehabilitation services.

(d) Any child or youth who requires long term nursing care shall not be kept in the facility.

(e) Placement agreements between placing agent and facility.

(1) The goal of residential placement shall be to return the resident to the resident's home when such a placement is in the resident's best interest.

(2) There shall be a written policy regarding the facility's responsibility to the resident's family while the resident is in placement.

(3) There shall be a written agreement at the time of placement between the placing agent and the facility setting forth the terms of placement and removal with the understanding that the person or agency having custody shall retain the right to withdraw the resident. Parental rights and responsibilities shall be clearly defined.

(4) Written visitation and communication policies shall be available to all residents, parents, legal guardians, and legal representatives.

(5) The placing agency or other person responsible under the law for the care and custody of each resident shall make arrangements at the time of placement for the financial responsibility for services of the facility and for necessary specialized services.

(6) Acceptance of out-of-state residents shall be made according to Kansas laws and interstate compact procedures.

(7) Any facility shall not accept legal guardianship of a child unless the facility is licensed as a child placing agency.

(Authorized by and implementing K.S.A. 65-508; effective May 1, 1986.)

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