

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 63.—Developmental Disabilities—Licensing Providers of Community Services

30-63-14. Revocation of a license; suspension.

(a) Any license issued pursuant to this article may be suspended or revoked before the expiration date for failure of the provider to comply with the requirements of this article.

(b) A provider's license may be suspended during the revocation proceedings only upon a determination by the commissioner that the continued operation of the provider during the revocation proceedings would constitute an imminent danger to the health, safety or welfare of any person or persons who would be receiving services from the provider during the revocation proceedings. This determination shall be made in writing and clearly state the reasons for it.

(c) Before revocation of a provider's license, a written notice of the intent to revoke shall be sent to the provider by registered mail, along with a copy of the commissioner's determination to suspend the license during the revocation proceedings, if applicable.

The notice shall:

- (1) specify the date the license shall be revoked if an appeal is not timely taken;
- (2) clearly state the reasons for the revocation of the license;
- (3) instruct the provider to immediately cease providing services if the commissioner has determined to suspend the license during the revocation proceedings; and
- (4) advise the provider that the revocation may be appealed to the administrative appeals section pursuant to article seven of these regulations, and that an appeal shall stay the revocation, but shall not stay any suspension of the license during the pendency of the appeal, except as may be provided for in any order issued after an emergency hearing held as a result of a request made under K.A.R. 30-63-13(f)(3).

(d) If at any time during the pendency of an appeal the commissioner finds that the provider now complies with all of the requirements of this article, and that it is in the best

interests of the public that the revocation be withdrawn, the commissioner shall notify all parties to the revocation proceedings that the revocation action has been withdrawn and the appeal proceedings shall be terminated.

(e) If, after notice to the provider of the commissioner's intent to revoke, the provider does not timely appeal, the license shall be revoked by the commission effective on the date stated within the notice.

(f) This regulation shall take effect on and after July 1, 1996.
(Authorized by and implementing K.S.A. 75-3307b and K.S.A. 39-1801, et seq.;
effective July 1, 1996.)

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