

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 60.—Licensing of Community Mental Health Centers

30-60-16. No denial of required services; exceptions; requirements; rights, documentation.

(a) No center shall deny necessary and appropriate services to any person requesting mental health services from that center unless any of the following conditions is met:

(1) The person requires services that are not required by K.A.R. 30-60-64 to be provided by a center and that are not provided by the center.

(2) The person refuses to pay the fees charged for any services provided, even after those fees have been adjusted or reduced in compliance with K.A.R. 30-60-17, unless the center is required by K.A.R. 30-60-64 to provide those services.

(3) The person is determined by the executive director to have engaged in behavior that threatens the safety of center staff or other individuals present at the center, but only if every reasonable effort has been made to address those issues. The denial of services may continue only as long as the behavior continues.

(b) If a center denies any necessary and appropriate services to any person, the center shall take one or more of the following actions, as applicable:

(1) (A) If the services being denied are services that are required by K.A.R. 30-60-64 to be provided by a center, immediately send to the division the name and address of that person, a list of what specific services are being denied, and the reasons why this denial has been instituted; and

(B) refer the person to another mental health services provider with whom the center has made arrangements for the provision of those services to that person, including, if the other provider requires it, arrangements for the other provider to be paid for its services by the center;

(2) if the services being denied are services not required by K.A.R. 30-60-64 to be provided by a center, refer the person to another appropriate provider; or

(3) if the person is engaging in threatening behavior, either initiate the appropriate involuntary admission of that person to a state psychiatric hospital or to another appropriate treatment facility, or take other appropriate actions necessary to ensure the safety of both that person and other individuals, including, when necessary, calling the appropriate law enforcement agency.

(c) Each person who has been denied any services by a center shall have the right to file a complaint concerning that denial, as specified in K.A.R. 30-60-51, and shall be informed of the procedures and process of filing a complaint. The center shall document its compliance with this requirement.

(Authorized by K.S.A. 75-3307b; implementing K.S.A. 39-1603, 39-1604(d), 39-1608(a) and (c), 65-4434(f), and 75-3304a; effective July 7, 2003.)

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