

Kansas Administrative Regulations

Department of Health and Environment

Article 34.—Hospitals

28-34-150. Conditions of participation.

(a) The following sections of 42 C.F.R., part 485, subpart E, as in effect on January 1, 2023, are hereby adopted by reference:

- (1) 485.508;
- (2) 485.510;
- (3) 485.512;
- (4) 485.514;
- (5) 485.516;
- (6) 485.520;
- (7) 485.522;
- (8) 485.524;
- (9) 485.526;
- (10) 485.528;
- (11) 485.530;
- (12) 485.532;
- (13) 485.534;
- (14) 485.536;
- (15) 485.538; and
- (16) 485.540.

(b) The following changes shall be made to the sections specified:

- (1) 485.516(c) shall be deleted.
- (2) In 485.524(d)(1)(i), the text "including an osteopathic practitioner recognized under section 1101(a)(7) of the Act" shall be deleted.
- (3) In 485.524(d)(3)(i)(B), the text "including an osteopathic practitioner recognized under section 1101(a)(7) of the Act" shall be deleted.

(4) In 485.524(d)(3)(i)(E), the text "as defined in §410.69(b) of this chapter" shall be deleted.

(5) In 485.524(d)(3)(i)(F), the text "as defined in §410.69(b) of this chapter: shall be deleted.

(6) In 485.524(d)(3)(i)(G), the text "as described in §413.85 or §§413.76 through 413.83 of this chapter" shall be deleted.

(7) 485.524(d)(3)(ii) shall be deleted.

(8) 485.524(d)(4) shall be deleted.

(9) 485.524(d)(5) shall be deleted.

(10) 485.526(e) shall be deleted.

(11) 485.526(f) shall be deleted.

(12) 485.526(g) shall be deleted.

(13) In 485.534(b)(3), the text "in accordance with §§489.100, 489.102, and 489.104 of this chapter" shall be deleted.

(14) In 485.534(g), the term "CMS" shall be replaced with "CMS and the licensing agency."

(15) In 485.536, the term "CMS" shall be replaced with "CMS and the licensing agency."

(16) 485.540(d) shall be replaced with the following text: "If the REH utilizes an electronic medical records system or other electronic administrative system, the REH shall submit an attestation of the REH's conformance with 45 C.F.R. 170.205(d)(2) to the licensing agency. Then the REH shall demonstrate that:"

(c) All outside references contained in the adoptions in (a)(2), (3), (4) and (5) of this regulation shall refer to those versions adopted in this regulation.

(Authorized by and implementing K.S.A. 2022 Supp. 65-487; effective, T-28-9-29-23, Sept. 29, 2023; effective Dec. 22, 2023.)

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