

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 22.—Licensing of Psychiatric Hospitals; Funding of Community Mental Health Centers and Facilities for the Mentally Retarded and Facilities for Handicapped Persons

30-22-30. Application for state financing of community mental health centers.

(a) Community mental health centers may apply for state financing under L. 1987, Ch. 249, Sections 1 through 12 by submitting an annual budget request to the secretary of social and rehabilitation services.

(b) Budget requests shall be submitted to the secretary by July 1 of each year unless a delay is granted in writing.

(c) Budgets shall be submitted on forms and according to instructions prescribed by the secretary.

(d) When an existing program is adequately serving a geographic area, a duplicate program shall not be requested in the budget of a center. Reasonable efforts shall be made to make the existing service available to all citizens in the area through contractual agreement with the provider of the existing service, if necessary.

(e) When a new program is to be implemented by a center, the center must notify the secretary 45 days in advance of program initiation in order to receive approval as a non-duplicate program in the center catchment area. In determining whether a new program duplicates an existing program, the secretary shall consider pre-existing programs in the center catchment area and the availability of the pre-existing programs to all groups of catchment area citizens.

(f) As soon as state appropriation bills are signed into law, the amount available for each center that has submitted a budget shall be determined by the secretary. The amount shall be equal to the amount that the center's average grant would have been under the Kansas community mental health assistance act for the fiscal years ending on June 30, 1986, June 30, 1987, and June 30, 1988, if such act had not been repealed and if appropriations for the fiscal year ending June 30, 1988 to finance grants under

such act had remained constant from the previous fiscal year plus each mental health center's pro rata share of any increase in moneys, including any inflation adjustments, appropriated for such purpose. The amounts so determined shall be paid to the centers in four payments on July 1, October 1, January 1 and April 1.

(g) Each center shall submit a quarterly report within 30 working days after the end of each calendar quarter. The report shall be on forms and in such detail as prescribed by the secretary.

(h) Each center shall file a copy of its annual audit report that has been certified by an independent auditor.

(i) Underpayments, overpayments or payments exceeding the maximum allowed by statute shall be subtracted from or added to the payment made on April 1.

(j) The secretary may withdraw funds from any center for one or more of the following reasons:

(1) not being substantially administered according to the annual budget;

(2) loss of license granted in accordance with the provisions of K.S.A. 75-3307b and amendments thereto; or

(3) net loss in a new program which did not receive approval by the secretary and which is found to be a duplicate program within the center catchment area. The secretary shall verify the amount of income and disbursements related to such programs in determining any net loss with audits conducted by auditors of the department of social and rehabilitation services. The amount withdrawn will be equal to the net loss of the program determined after each 12 months of operation.

(k) The secretary may withhold payments from a center or facility for one or more of the following reasons:

(1) Failure to submit required reports;

(2) unreasonable delay in the submission of required reports; or

(3) other good cause.

(l) Quarterly payments described in subsection (e) shall be made to a new or realigned community mental health center catchment area only after each new or realigned catchment area has been approved in accordance with K.A.R. 30-22-13 and

30-22-14. The financial plan required in K.A.R. 30-22-13(c)(6) shall include a new or revised budget as required in subsection (c).

(m) Special purpose grants may be awarded by the secretary if appropriated by the legislature for that purpose. The secretary shall consider legislative intent and identified local needs in awarding such grants.

(Authorized by L. 1987, Ch. 249, Sec. 12; implementing L. 1987, Ch. 249, Sections 1 through 11; effective May 1, 1987; amended, T-88-42, Oct. 27, 1987; amended May 1, 1988.)

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