

Kansas Administrative Regulations

Kansas Department for Aging and Disability Services

Article 52.—Crisis Intervention Centers

26-52-14. Records.

(a) Each applicant and each licensee shall develop and implement policies and procedures for the creation and maintenance of an organized recordkeeping system for the center, which shall include the following:

(1) Provisions shall be made for the identification, security, confidentiality, control, retrieval, preservation, and disposal of all records for patients, staff members, and volunteers, and for center records.

(2) All records shall be available at the center for review by the department.

(b) Patient records. Each licensee shall assign a unique number to each patient. Each patient's name and patient number shall appear on each center-generated document, which shall be signed and dated by the responsible staff member. Each licensee shall maintain an individual record for each patient, which shall include the following information:

(1) Sufficient information to identify the patient;

(2) any agency or person responsible for the patient;

(3) the request for voluntary admission signed by a voluntary patient submitted pursuant to K.S.A. 59-29c04, and amendments thereto, or the written application for emergency observation and treatment for a proposed patient submitted pursuant to K.S.A. 59-29c06 or 59-29c07, and amendments thereto;

(4) the admission health check completed by a physician;

(5) an inventory of the patient's personal possessions at the time of admission and discharge from the center;

(6) treatment plan;

(7) each evaluation conducted pursuant to K.S.A. 59-29c08, and amendments thereto;

(8) any affidavit or petition filed with the district court where the center is located pursuant to K.S.A. 59-29c08, and amendments thereto;

(9) physical health records relating to a patient's medical history, allergies, immunizations, infectious disease, illness, injury, and any dietary restrictions;

(10) treatment notes;

(11) physician orders;

(12) medication administration records;

(13) nursing notes;

(14) behavioral health professional orders;

(15) laboratory test results;

(16) direct care staff member notes;

(17) progress notes;

(18) consultations related to the patient's treatment, medical care or discharge plan;

(19) critical incident reports;

(20) discharge plan; and

(21) notifications or other correspondence provided to the guardian of a patient.

(c) Each patient record shall be confidential and made available only to the department, staff members and consultants authorized by the center, or as authorized by K.S.A. 59-2979, and amendments thereto; K.S.A. 65-5603, and amendments thereto; K.S.A. 60-427, and amendments thereto; and 42 U.S.C. 290dd-2.

(d) The records of each patient shall be maintained for at least 10 years following the last discharge of the patient.

(e) Before closing of a center for any reason, the licensee shall arrange for preservation of patient records for the mandatory retention period and shall notify the department why the center is closing, and provide the address and contact person for the location where patient records will be maintained.

(f) Staff member records. Each licensee shall maintain an individual record for each staff member, which shall include the following information:

(1) The application for employment or written agreement for the staff member to work at the center, including the staff member's qualifications;

(2) a copy of each applicable current professional license, certificate, or registration;

(3) the staff member's current job responsibilities and job duties;

(4) a health record that meets the requirements of this article, including a record of the results of each health examination and each tuberculosis test;

(5) a copy of a valid driver's license of a type appropriate for the vehicle being used, for each staff member who transports any patient;

(6) documentation of all orientation and in-service training required in this article;

(7) documentation of training in documentation of the patient record;

(8) a copy of each grievance or incident report concerning the staff member, including documentation of the resolution of each report; and

(9) documentation that the staff member has read, understands, and agrees to all of the following:

(A) The requirements of mandatory reporting of suspected patient abuse, neglect, and exploitation;

(B) all statutes and regulations governing crisis intervention centers;

(C) the center's policies and procedures that are applicable to the job responsibilities and job duties of the staff member; and

(D) the confidentiality of patient information.

(g) Volunteer records. Each licensee shall maintain an individual record for each volunteer at the center, which shall include the following:

(1) The application for volunteering at the center;

(2) the volunteer's responsibilities at the center;

(3) a health record that demonstrates compliance with this article, including a record of the results of each health examination and each tuberculosis test, for each volunteer in contact with patients;

(4) documentation of all orientation and in-service training required for volunteers in this article;

(5) a copy of each grievance or incident report concerning the volunteer, including documentation of the resolution of each report; and

(6) documentation that the volunteer has read, understands, and agrees to all of the following:

(A) The requirements of mandatory reporting of suspected patient abuse, neglect, and exploitation;

(B) all statutes and regulations governing crisis intervention centers;

(C) the center's policies and procedures that are applicable to the job responsibilities and job duties of the volunteer; and

(D) the confidentiality of patient information.

(h) Center records. Each applicant and each licensee shall complete and maintain center records. Center records shall include the following information:

(1) Documentation of the requests submitted to the department for background checks to meet the requirements of this article;

(2) documentation of each approval granted by the department for each change, exception, or amendment;

(3) the current and all past versions of the center's policies and procedures that were effective during the ten-year period immediately preceding the effective date of the current policy;

(4) all documentation required by this article for emergency plans, fire and tornado drills, and written policies and procedures on care and treatment of the patients;

(5) all documentation specified in this article for the inspection and maintenance of security devices, including locking mechanisms and any delayed-exit mechanisms on doors;

(6) documentation of approval of any public or private water, sewage systems, and utilities as specified in this article;

(7) documentation of compliance with all local and state building codes, fire safety requirements, and zoning codes;

(8) all documentation specified in this article for transportation of patients;

(9) documentation of vaccinations and veterinary records for any animal kept on the premises;

(10) a copy of each contract and each agreement; and

(11) information available to the department for each 12-month period commencing on July 1st of each year and ending on June 30th of each year regarding the following:

(A) The number of admissions and discharges and length of stay for each patient admitted to the crisis intervention center;

(B) the number of voluntary patients and proposed patients who were denied admission to the center and the reason for the denial;

(C) the number of voluntary patients admitted pursuant to K.S.A. 59-29c04, and amendments thereto, and whether the admission was for mental health treatment, alcohol or substance abuse treatment, or treatment for co-occurring conditions of mental health and alcohol or substance abuse;

(D) the number of involuntary patients admitted pursuant to K.S.A. 59-29c06, and amendments thereto, and whether the admission was for mental health treatment, alcohol or substance abuse treatment, or treatment for co-occurring conditions of mental health and alcohol or substance abuse;

(E) the number of involuntary patients admitted pursuant to K.S.A. 59-29c07, and amendments thereto, and whether the admission was for mental health treatment, alcohol or substance abuse treatment, or treatment for co-occurring conditions of mental health and alcohol or substance abuse;

(F) the number of voluntary patients who are admitted to the center two or more times, and whether the readmission was for mental health treatment, alcohol or substance abuse treatment, or treatment for co-occurring conditions of mental health and alcohol or substance abuse; and

(G) the number of involuntary patients who are admitted to the center two or more times, and whether the readmission was for mental health treatment, alcohol or substance abuse treatment, or treatment for co-occurring conditions of mental health and alcohol or substance abuse.

(Authorized by and implementing K.S.A. 39-2004; effective, T-26-2-16-24, Feb. 16, 2024; effective, T-26-6-10-24, June 10, 2024; effective June 28, 2024.)

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