

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 64.—Developmental Disabilities—Community Developmental Disability Organizations (CDDO's)

30-64-25. Uniform access to services.

(a) Each contracting CDDO shall implement a plan, developed in coordination with the CDDO's affiliates, that results in services being offered and provided in a way that does not discriminate against any person because of the severity of each person's disability.

(1) The plan may require all community service providers to serve all persons regardless of the severity of each person's disability.

(2) The plan may allow individual community service providers to specialize in services, if all persons are offered appropriate services without regard to the severity of each person's disability.

(b) The plan shall not require any community service provider to accept more persons than the community service provider can effectively serve. If all community service providers are at their maximum capacity, the CDDO shall, pursuant to K.S.A. 39-1805(b), assist in establishing new community service providers.

(c) Notwithstanding these provisions, any CDDO that contracts with its affiliates and by mutual agreement provides its affiliates with financial consideration in excess of that required to be provided by the commission may require its affiliates to develop and make available appropriate services for any eligible person.

(d) Notwithstanding these provisions, a CDDO may refuse to serve a person who is determined by the secretary to be inappropriate for community services because the person presents a clear and present danger to self or to the community.

(e) This regulation shall take effect on and after October 1, 1998.

(Authorized by and implementing K.S.A. 1997 Supp. 39-1801, et seq.; effective July 1, 1996; amended Oct. 1, 1998.)

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