Kansas Administrative Regulations

Department of Health and Environment

Article 34.—Hospitals—Part 1. General.

28-34-2. Licensing procedure.

(a) Each applicant for an initial license to operate a hospital shall file an application on forms provided by the licensing agency at least 90 days prior to admission of patients. A license previously issued shall be renewed after the licensee has filed an annual report and the licensing agency has approved the same. The licensing agency shall approve the renewal after it has documented that the applicant is in substantial compliance with these regulations. Each application for license renewal shall be filed with the licensing agency at least 90 days before the expiration date of the current license, and the annual report shall be filed no later than 60 days after the beginning of each calendar year. The annual report may include information relating to:

(1) Administration and ownership;

(2) classification;

(3) allocation of beds;

(4) special care services;

(5) patient statistics;

(6) surgical facilities, services and procedures;

(7) outpatient and emergency room services; and

(8) staff personnel.

(b) New construction, alterations or renovations that provide space for patient services or patient rooms shall not be used until authorization has been received from the licensing agency. The licensing agency may give such authorization orally or by telephone and shall provide the facility with written confirmation within 30 days.

(c) The license shall authorize a facility to operate only the number and classifications of beds that appear on the previous license application unless additional beds or reclassification of beds have been approved in accordance with K.A.R. 28-34-32a.

(d) If the facility is found to be in violation of any of these regulations, the licensing agency shall notify the applicant in writing of each violation and require that a plan of correction be submitted before a license is issued or renewed. The plan shall state specifically what corrective action will be taken and the date on which it will be accomplished.

(e) If during the term of its current license a facility is surveyed by the joint commission on accreditation of health care organizations (JCAHO) or the American osteopathic association (AOA), the facility shall submit the survey report to the licensing agency toward satisfying the survey requirements for licensure. After reviewing the survey report, the licensing agency may notify the facility that a licensing survey will be conducted.

(f) The licensing agency will document the extent of the facility's compliance with these regulations in at least one of the following ways:

(1) The statement of a responsible, authorized administrator or staff member;

(2) documentary evidence of compliance provided by the facility;

(3) answers by the facility to detailed questions provided by the licensing agency concerning the implementation of any provisions of these regulations or examples of such implementation which will enable a judgment about compliance to be made;

(4) on-site observations by surveyors; or

(5) interviews with patients, employees or other persons or sources capable or providing reliable information.

(Authorized by K.S.A. 65-428 and K.S.A. 65-431; implementing K.S.A. 65-428; K.S.A. 65-429 and 65-431; effective Jan. 1, 1969; amended Jan. 1, 1974; amended May 1, 1980; amended June 28, 1993.)

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