

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 60.—Licensing of Community Mental Health Centers

30-60-5. Two types of license; requirements.

(a) Two types of license shall be issued by the secretary in accordance with this article. One shall be titled "community mental health center." The other shall be titled "affiliated community mental health center." To be eligible for either license, the applicant agency shall demonstrate that it can and will comply with all of the applicable requirements contained within this article. However, the applicant agency shall not be required to meet the requirements contained within article 61 that provide for those additional services and programs that a center must be capable of and willing to provide in order to be eligible to contract with the secretary to become a participating community mental health center.

(b) (1) Only one license shall be issued by the secretary to operate a "community mental health center" within a designated service area, which shall be stated upon the license issued.

(2) If the board of county commissioners for any county within the service area of a licensed center, pursuant to K.S.A. 19-4001 and amendments thereto, notifies the secretary of the board's withdrawal of its designation of that licensed center as the community mental health center for that county and requests that the secretary either approve the establishment of a new community mental health center for that county, as provided for in K.A.R. 30-60-10, or approve the realignment of the service area of another existing licensed center to include that county within its service area, as provided for in K.A.R. 30-60-12, and if the secretary approves either request, then at least one of the following actions shall be taken by the division:

(A) If the secretary's action involves the establishment of a new community mental health center to replace the existing licensed center and that existing center will not afterwards be serving any other county, the license of the existing center from which the board of county commissioners withdrew its designation shall be revoked.

(B) If the secretary's action involves the realignment of the service area of one or more existing licensed centers, a new license shall be issued to each involved center. Each new license shall state upon it the new service area of that center.

(c) Each agency meeting the exception specified in K.S.A. 75-3307b(b), and amendments thereto, shall be exempted from the limitation stated in subsection (b) above and may be licensed as an "affiliated community mental health center," if it complies with all of the following:

(1) The agency has an affiliation agreement, as specified in K.A.R. 30-60-29, with each center within whose service area the agency provides any services.

(2) The agency makes regular and timely applications for renewal of its license.

(3) The agency is at all times in compliance with all of the applicable requirements of this article, including those applicable to the services and programs it has agreed to provide in its affiliation agreement with any center.

(Authorized by K.S.A. 75-3307b; implementing K.S.A. 75-3307b, 75-3307c, and 75-3304a; effective Oct. 28, 1991; amended July 7, 2003.)

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