

Kansas Administrative Regulations

Kansas Department for Aging and Disability Services

Article 52.—Crisis Intervention Centers

26-52-28. Notification and reporting requirements.

(a) Each licensee shall develop and implement policies and procedures for reporting adverse incidents involving a patient, a staff member, or a volunteer. Each licensee shall also develop and implement policies and procedures for reporting an adult in need of protective services or reporting suspected abuse, neglect, or exploitation of an adult.

(b) Each licensee shall notify local law enforcement upon the occurrence or discovery of each incident involving a patient, a staff member, or volunteer, including the following:

- (1) suspected abuse, neglect, and exploitation of a patient;
- (2) death of a patient at the center;
- (3) death of a staff member or volunteer while on duty at the center;
- (4) suspected sexual assault involving a patient as victim or perpetrator;
- (5) serious injury to any patient, staff member or volunteer, including burns, lacerations, bone fractures, substantial hematomas, and injuries to internal organs;
- (6) a riot or the taking of hostages at the center;
- (7) suspected illegal act committed at the center by a patient, staff member, or volunteer; and
- (8) elopement of a patient.

(c)(1) Each licensee shall submit to the department an adverse incident report (AIR), using the department's electronic reporting system, no later than 12 hours after the occurrence or discovery of each incident, including the following:

- (A) Each incident in subsection (b) of this regulation required to be reported to law enforcement;
- (B) medication error with an adverse reaction of a patient which resulted in an emergency room visit, hospitalization, or death;
- (C) fire or any natural disaster affecting center operations;

(D) structural damage to the center;

(E) loss of heat, ventilation, or air conditioning ("HVAC"), or utilities at the center exceeding four hours;

(F) evacuation, displacement, or relocation of any patients from the center;

(G) a patient, staff member, or volunteer contracts a reportable infectious or contagious disease specified in K.A.R. 28-1-2;

(H) outbreak of COVID-19 at the center affecting five or more patients; and

(I) suicide attempt committed at the center by a patient, staff member, or volunteer.

(2) The adverse incident report (AIR) submitted to the department shall provide information relating to the incident, including the following:

(A) Incident type;

(B) description of the facts and circumstances relating to the incident;

(C) date of the incident;

(D) location of the incident;

(E) name, address, age, gender, and last four digits of the social security number of each patient harmed in the incident;

(F) name, address, age, gender, and last four digits of the social security number of each staff member or volunteer harmed in the incident;

(G) description of any known injuries to each patient, staff member, or volunteer;

(H) name, address, age, gender, and last four digits of the social security numbers of each alleged perpetrator, if known.

(I) name, address, age, gender, and last four digits of the social security number of each patient who witnessed the incident; and

(J) name, address, age, gender, and last four digits of the social security number of each staff member or volunteer who witnessed the incident.

(d) Each licensee shall provide notification of each adverse incident in paragraphs (c)(1)(A) through (c)(1)(I) of this regulation to the patient's attorney or legal guardian, if known, no later than 12 hours after the occurrence or discovery of each adverse incident.

(e) Each licensee shall also submit a report to the department of children and families pursuant to K.S.A. 39-1431, and amendments thereto, when there is

reasonable cause to suspect or believe that an adult is in need of protective services or is being harmed as a result of abuse, neglect, or exploitation, no later than 12 hours after the occurrence or discovery of the incident, excluding weekends and state holidays. Documentation shall be maintained at the center of reporting of incidents pursuant to K.S.A. 39-1431, and amendments thereto.

(f) Each licensee shall provide notification of each incident to the emergency contact or other authorized persons listed by the patient, staff member, or volunteer, in accordance with the center's policies and procedures.

(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 *****