Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—Psychiatric Residential Treatment Facilities (PRTF).

28-4-1251. Applicant, permittee, and licensee requirements.

(a) Each applicant shall submit a complete application on forms provided by the department. The application shall be submitted at least 90 calendar days before the planned opening date of the facility and shall include the following:

(1) A description of the program and services to be offered, including the following:

(A) A statement of the facility's purpose and goals; and

(B) the number, ages, and gender of prospective residents;

(2) the anticipated opening date;

(3) a request for the background checks for staff members and volunteers specified in K.A.R. 28-4-1253;

(4) the facility's policies and procedures required in subsection (d); and

(5) the license fee totaling the following:

(A) $75; and

(B) $1 multiplied by the maximum number of residents to be authorized under the license.

(b) Each applicant shall be one of the following entities:

(1) A government or governmental subdivision, which shall employ an administrator; or

(2) a person, other than a government or governmental subdivision, with a governing board that is responsible for the operation, policies, finances, and general management of the facility. The applicant shall employ an administrator. The administrator shall not be a voting member of the governing board.

(c) Each applicant, each permittee, and each licensee, if a corporation, shall be in good standing with the Kansas secretary of state.

(d) Each applicant shall develop policies and procedures for operation of the facility to meet the requirements in these regulations and in K.S.A. 2013 Supp. 65-535, and amendments thereto.

(e) Each applicant shall submit to the department floor plans for each building that will be used as a facility. Each floor plan shall show how the facility is separated from any other child care facility. Each applicant shall obtain and submit to the department prior written approval from the Kansas state fire marshal regarding the safety of entrances and exits.

(f) Each applicant shall notify the school district where the facility is to be located at least 90 calendar days before the planned opening date. The 90-day notification to the local school district may be waived by the secretary upon receipt of a written agreement by the local school district. The notification to the school district shall include the following:

(1) The planned opening date and the number, age range, gender, and anticipated special education needs of the residents to be served;

(2) a statement that the residents will receive educational services on-site at the facility; and

(3) documentation that the notification was received by the school district at least 90 calendar days before the planned opening date.

(g) Each applicant shall maintain documentation of completion of training required in K.A.R. 28-4-1255(k) by each staff member and each volunteer before the opening date of the facility.

(h) Each applicant, each permittee, and each licensee shall maintain documentation of compliance with all applicable building codes, fire safety requirements, and zoning codes.

(i) The granting of a license to any applicant may be refused by the secretary if the applicant is not in compliance with the requirements of all applicable statutes and regulations governing facilities.

(Authorized by K.S.A. 2013 Supp. 65-508 and 65-535; implementing K.S.A. 65-501 and K.S.A. 2013 Supp. 65-504, 65-505, 65-508, 65-516, and 65-535; effective, T-28-12-17-13, Dec. 17, 2013; effective March 28, 2014.)

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