

# **Kansas Administrative Regulations**

## **Kansas Department for Children and Families**

### **Article 47.—Foster Care Licensing**

#### **30-47-102. Definitions.**

For the purpose of K.A.R. 30-47-101 through K.A.R. 30-47-127, the following terms and definitions shall apply:

(a) "Administrative director" means the individual employed by a juvenile crisis intervention center who is responsible for the daily operation of the center.

(b) "Applicant" means a person who has applied for a license but who has not yet been granted a temporary permit or a license to operate a juvenile crisis intervention center.

(c) "Authorized medical practitioner" means a licensed physician, a physician's assistant operating under a written protocol as authorized by a responsible physician, an APRN, or registered nurse.

(d) "Auxiliary staff member" means a type of staff member working at a juvenile crisis intervention center in food services, clerical services, or maintenance.

(e) "Basement" means each area in a building with a floor level more than 30 inches below ground level on all sides.

(f) "Case management" means the provision of services directly by the staff members or through another contracted provider.

(g) "Case manager" means an individual who is designated by the permittee or licensee to coordinate the provision of services to juveniles by staff members or other individuals or agencies and who meets the requirements for a case manager in K.A.R. 30-47-108.

(h) "Case plan" means the comprehensive written goals and services developed for each juvenile.

(i) "Center" means juvenile crisis intervention center.

(j) "Clinical director" means the individual at a juvenile crisis intervention center who is responsible for the mental health services and who meets the requirements for a clinical director in K.A.R. 30-47-108.

(k) "Department" means Kansas department for children and families.

(l) "Designee" means a person who has the same minimum qualifications as those of another staff member and who has been selected to carry out a duty or role of that staff member.

(m) "Direct care staff member" means an individual whose primary responsibility is to implement the program on a daily basis, including providing direct supervision of, interaction with, and protection of the juveniles and who meets the requirements for a direct care staff member in K.A.R. 30-47-108.

(n) "Direct supervision" means the physical presence of staff members in proximity to allow for interaction and direct eye contact with juveniles.

(o) "Facility" means a type of child care facility, pursuant to K.S.A. 65-503 and amendments thereto, that meets the requirements in K.S.A. 65-535, and amendments thereto.

(p) "Head of a juvenile crisis intervention center" means the administrative director or the person's designee.

(q) "In-service training" means job-related training provided for staff members and volunteers.

(r) "Isolation" means the removal of a juvenile from other juveniles to a separate locked room or quarters.

(s) "Juvenile" means an individual under 18 years of age.

(t) "Juvenile crisis intervention center" means a facility operated by a permittee or licensee that provides short-term observation, assessment, treatment and case planning, and referral for any juvenile who is experiencing a mental health crisis and is likely to cause harm to self or others.

(u) "License capacity" means the maximum number of juveniles authorized to be in the juvenile crisis intervention center at any one time.

(v) "Licensed physician" means an individual who is licensed to practice either medicine and surgery or osteopathy in Kansas by the Kansas state board of healing arts.

(w) "Licensee" means a legal business entity that has been granted a license to operate a center.

(x) "Likely to cause harm to self or others" has the meaning specified in K.S.A. 65-536, and amendments thereto.

(y) "Living unit" means the self-contained building or portion of a building in which a juvenile crisis intervention center is operated and maintained, including the sleeping rooms, bathrooms, and dayroom for activities.

(z) "Permittee" means a legal business entity that has applied for a license and has been granted a temporary permit by the secretary to operate a center.

(aa) "Placing agent" means an entity having the legal authority to place a juvenile in a juvenile crisis intervention center.

(bb) "Professional staff member" means a staff member who is one of the following:

- (1) The clinical director;
  - (2) a licensed physician;
  - (3) a licensed psychiatrist qualified to evaluate, assess, and treat addictions or substance abuse and other mental health disorders;
  - (4) an individual licensed by the Kansas behavioral sciences regulatory board;
  - (5) a teacher licensed by the Kansas state department of education;
  - (6) a physician's assistant licensed in Kansas by the Kansas state board of healing arts;
  - (7) a professional nurse licensed by the Kansas state board of nursing;
  - (8) an advanced practice registered nurse (APRN) licensed by the Kansas state board of nursing and qualified to evaluate, assess, and treat addictions or substance abuse and other mental health disorders;
  - (9) a dietician licensed by the Kansas department for aging and disability services;
- or
- (10) a case manager, who shall have a bachelor's degree in behavioral science.

(cc) "Program" means the comprehensive and coordinated set of activities and social services providing for the care, health, and safety of juveniles while in the care of the juvenile crisis intervention center.

(dd) "Qualified mental health professional" has the meaning specified in K.S.A. 65-536, and amendments thereto.

(ee) "Regularly" means occurring on three or more occasions in a 12-month period.

(ff) "Renewal date" means 12 months after the date on which a license is issued.

(gg) "Secretary" means secretary of the Kansas department for children and families.

(hh) "Shared space" means locations on the premises used by more than one child care program at different times.

(ii) "Staff member" means any individual employed at a center, including auxiliary staff members, direct care staff members, the administrative director, and professional staff members.

(jj) "Trauma-informed care" means the services provided to juveniles based on an understanding of the vulnerabilities and the emotional and behavioral responses of trauma survivors.

(kk) "Trauma-specific intervention" means intervention techniques designed specifically to address the consequences of trauma in juveniles and to facilitate recovery, including the interrelation between presenting symptoms of trauma and each juvenile's past history of trauma.

(ll) "Treatment" has the meaning specified in K.S.A. 65-536, and amendments thereto.

(mm) "Tuberculosis test" means either the Mantoux skin test or an interferon gamma release assay (IGRA).

(nn) "Volunteer" means an individual over the age of 14 who provides an unpaid service at the center.

(oo) "Weapons" means any dangerous or deadly instruments, including the following:

(1) Firearms;

(2) ammunition;

- (3) air-powered guns, including BB guns, pellet guns, and paint ball guns;
- (4) any knives, except knives designed and used for table service;
- (5) archery equipment; and
- (6) martial arts equipment.

(Authorized by K.S.A. 65-536, 75-3084, and 75-3085; implementing K.S.A. 65-504, 65-508, and 65-536; effective June 7, 2024.)

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