

**SENATE BILL No. 446**

By Committee on Public Health and Welfare

2-11

1 AN ACT concerning state psychiatric hospitals; relating to the definition  
2 of catchment areas; amending K.S.A. 2015 Supp. 39-1602 and 39-1613  
3 and repealing the existing sections.  
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2015 Supp. 39-1602 is hereby amended to read as  
7 follows: 39-1602. As used in K.S.A. 39-1601 through 39-1612, and  
8 amendments thereto:

9 (a) "Targeted population" means the population group designated by  
10 rules and regulations of the secretary as most in need of mental health  
11 services which are funded, in whole or in part, by state or other public  
12 funding sources, which group shall include adults with severe and  
13 persistent mental illness, severely emotionally disturbed children and  
14 adolescents, and other individuals at risk of requiring institutional care.

15 (b) "Community based mental health services" includes, but is not  
16 limited to, evaluation and diagnosis, case management services, mental  
17 health inpatient and outpatient services, prescription and management of  
18 psychotropic medication, prevention, education, consultation, treatment  
19 and rehabilitation services, twenty-four-hour emergency services, and any  
20 facilities required therefor, which are provided within one or more local  
21 communities in order to provide a continuum of care and support services  
22 to enable mentally ill persons, including targeted population members, to  
23 function outside of inpatient institutions to the extent of their capabilities.  
24 Community based mental health services also include assistance in  
25 securing employment services, housing services, medical and dental care,  
26 and other support services.

27 (c) "Mental health center" means any community mental health  
28 center organized pursuant to the provisions of K.S.A. 19-4001 to 19-4015,  
29 ~~inclusive et seq.~~, and amendments thereto, or mental health clinic  
30 organized pursuant to the provisions of K.S.A. 65-211 to 65-215, ~~inclusive~~  
31 ~~et seq.~~, and amendments thereto, and licensed in accordance with the  
32 provisions of K.S.A. 75-3307b, and amendments thereto.

33 (d) "Secretary" means the secretary for aging and disability services.

34 (e) "Department" means the Kansas department for aging and  
35 disability services.

36 (f) "State psychiatric hospital" means Osawatomie state hospital,–

1 ~~Rainbow mental health facility~~ or Larned state hospital.

2 (g) "Mental health reform phased program" means the program in  
3 three phases for the implementation of mental health reform in Kansas as  
4 follows:

5 (1) The first phase covers the counties in the Osawatomie state  
6 hospital catchment area and is to commence on July 1, 1990, and is to be  
7 completed by June 30, 1994;

8 (2) the second phase covers the counties in the Topeka state hospital  
9 catchment area and is to commence on July 1, 1992, and is to be  
10 completed by June 30, 1996; and

11 (3) the third phase covers the counties in the Larned state hospital  
12 catchment area and is to commence on July 1, 1993, and is to be  
13 completed by June 30, 1997.

14 (h) "Screening" means the process performed by a participating  
15 community mental health center, pursuant to a contract entered into with  
16 the secretary under K.S.A. 39-1610, and amendments thereto, to determine  
17 whether a person, under either voluntary or involuntary procedures, can be  
18 evaluated or treated, or can be both evaluated and treated, in the  
19 community or should be referred to the appropriate state psychiatric  
20 hospital for such treatment or evaluation or for both treatment and  
21 evaluation.

22 (i) ~~"Osawatomie state hospital catchment area" means, except as~~  
23 ~~otherwise defined by rules and regulations of the secretary adopted~~  
24 ~~pursuant to K.S.A. 39-1613, and amendments thereto, the area composed~~  
25 ~~of the following counties: Allen, Anderson, Atchison, Bourbon, Brown,~~  
26 ~~Butler, Chase, Chautauqua, Cherokee, Clay, Coffey, Cowley, Crawford,~~  
27 ~~Doniphan, Douglas, Elk, Franklin, Geary, Greenwood, Jackson, Jefferson,~~  
28 ~~Jewell, Johnson, Labette, Leavenworth, Linn, Lyon, Marshall, Miami,~~  
29 ~~Mitchell, Montgomery, Morris, Nemaha, Neosho, Osage, Pottawatomie,~~  
30 ~~Republic, Riley, Sedgwick, Shawnee, Wabaunsee, Washington, Wilson,~~  
31 ~~Woodson and Wyandotte.~~

32 (j) ~~"Larned state hospital catchment area" means, except as otherwise~~  
33 ~~defined by rules and regulations of the secretary adopted pursuant to~~  
34 ~~K.S.A. 39-1613, and amendments thereto, the area composed of the~~  
35 ~~following counties: Barber, Barton, Cheyenne, Clark, Comanche, Decatur,~~  
36 ~~Dickinson, Edwards, Ellis, Ellsworth, Finney, Ford, Gove, Graham, Grant,~~  
37 ~~Gray, Greeley, Hamilton, Harper, Harvey, Haskell, Hodgeman, Kearny,~~  
38 ~~Kingman, Kiowa, Lane, Lincoln, Logan, Marion, McPherson, Meade,~~  
39 ~~Morton, Ness, Norton, Osborne, Pawnee, Phillips, Pratt, Rawlins, Reno,~~  
40 ~~Rice, Rooks, Rush, Russell, Saline, Scott, Seward, Sheridan, Sherman,~~  
41 ~~Smith, Stafford, Stanton, Stevens, Sumner, Thomas, Trego, Wallace and~~  
42 ~~Wichita.~~

43 (k) ~~"Catchment area" means the Osawatomie state hospital catchment~~

1 area or the Larned state hospital catchment area *as defined in rules and*  
2 *regulations.*

3 ~~(j)~~ (j) "Participating mental health center" means a mental health  
4 center which has entered into a contract with the secretary for aging and  
5 disability services to provide screening, treatment and evaluation, court  
6 ordered evaluation and other treatment services pursuant to the care and  
7 treatment act for mentally ill persons, in keeping with the phased concept  
8 of the mental health reform act.

9 Sec. 2. K.S.A. 2015 Supp. 39-1613 is hereby amended to read as  
10 follows: 39-1613. (a) The secretary for aging and disability services is  
11 hereby authorized to adopt rules and regulations to define and redefine the  
12 Osawatomie state hospital catchment area and Larned state hospital  
13 catchment area as may be necessary in the opinion of the secretary for  
14 aging and disability services to accommodate shifts in populations in need  
15 of mental health services within available community mental health  
16 facility and state institution capacities and resources and in accordance  
17 with the following:

18 (1) ~~Each such catchment area shall be defined by contiguous counties~~  
19 ~~that are designated by name;~~

20 (2) ~~No county shall be included in more than one such catchment~~  
21 ~~area;~~

22 (3) (2) each county shall be included in the Osawatomie state hospital  
23 catchment area or Larned state hospital catchment area; and

24 (4) (3) no designated community mental health center shall be  
25 included in more than one such catchment area.

26 (b) Each rule and regulation adopted, amended or revived under this  
27 section shall be published in its entirety in the Kansas register in the first  
28 issue published after such adoption, amendment or revival.

29 Sec. 3. K.S.A. 2015 Supp. 39-1602 and 39-1613 are hereby repealed.

30 Sec. 4. This act shall take effect and be in force from and after its  
31 publication in the statute book.