

SENATE BILL No. 417

By Committee on Public Health and Welfare

1-23

AN ACT relating to critical access hospitals; concerning the length of stay for inpatient hospitalizations; amending K.S.A. 2001 Supp. 65-468 and repealing the existing section.

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

Section 1. K.S.A. 2001 Supp. 65-468 is hereby amended to read as follows: 65-468. As used in K.S.A. 65-468 to 65-474, inclusive, and amendments thereto:

(a) "Health care provider" means any person licensed or otherwise authorized by law to provide health care services in this state or a professional corporation organized pursuant to the professional corporation law of Kansas by persons who are authorized by law to form such corporation and who are health care providers as defined by this subsection, or an officer, employee or agent thereof, acting in the course and scope of employment or agency.

(b) "Member" means any hospital, emergency medical service, local health department, home health agency, adult care home, medical clinic, mental health center or clinic or nonemergency transportation system.

(c) "Mid-level practitioner" means a physician's assistant or advanced registered nurse practitioner who has entered into a written protocol with a rural health network physician.

(d) "Physician" means a person licensed to practice medicine and surgery.

(e) "Rural health network" means an alliance of members including at least one critical access hospital and at least one other hospital which has developed a comprehensive plan submitted to and approved by the secretary of health and environment regarding patient referral and transfer; the provision of emergency and nonemergency transportation among members; the development of a network-wide emergency services plan; and the development of a plan for sharing patient information and services between hospital members concerning medical staff credentialing, risk management, quality assurance and peer review.

(f) "Critical access hospital" means a member of a rural health network which makes available twenty-four hour emergency care services; provides not more than 15 acute care inpatient beds for providing inpa-

1 ~~patient care for a period not to exceed 96 hours (unless a longer period is~~
2 ~~required because transfer to a hospital is precluded because of inclement~~
3 ~~weather or other emergency conditions), except that a peer review or~~
4 ~~organization or equivalent entity, on request, may waive the ninety-six hour~~
5 ~~restriction on a case-by-case basis; provides inpatient extended care serv-~~
6 ~~ices (if there is in effect or in the case of a facility with an approved swing-~~
7 ~~bed agreement) so long as the a combined total of extended care and~~
8 ~~acute care beds that does not exceed 25 beds (provided that the number~~
9 ~~of beds used at any time for acute care inpatient services does not exceed~~
10 ~~15 beds); provides acute inpatient care for a period that does not exceed,~~
11 ~~on an annual average basis, 96 hours per patient; and provides nursing~~
12 ~~services under the direction of a licensed professional nurse and contin-~~
13 ~~uous licensed professional nursing services for not less than 24 hours of~~
14 ~~every day when any bed is occupied or the facility is open to provide~~
15 ~~services for patients unless an exemption is granted by the licensing~~
16 ~~agency pursuant to rules and regulations. The critical access hospital may~~
17 ~~provide any services otherwise required to be provided by a full-time, on-~~
18 ~~site dietician, pharmacist, laboratory technician, medical technologist and~~
19 ~~radiological technologist on a part-time, off-site basis under written agree-~~
20 ~~ments or arrangements with one or more providers or suppliers recog-~~
21 ~~nized under medicare. The critical access hospital may provide inpatient~~
22 ~~services by a physician's assistant, nurse practitioner or a clinical nurse~~
23 ~~specialist subject to the oversight of a physician who need not be present~~
24 ~~in the facility.~~

25 (g) "Hospital" means a hospital other than a critical access hospital
26 which has entered into a written agreement with at least one critical
27 access hospital to form a rural health network and to provide medical or
28 administrative supporting services within the limit of the hospital's
29 capabilities.

30 Sec. 2. K.S.A. 2001 Supp. 65-468 is hereby repealed.

31 Sec. 3. This act shall take effect and be in force from and after its
32 publication in the statute book.

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