

HOUSE BILL No. 2239

By Committee on Appropriations

1-25

9 AN ACT relating to health care providers, risk management; definitions;
10 adding certain mental health practitioners; amending K.S.A. 2006
11 Supp. 65-4921 and repealing the existing section.
12

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

14 Section 1. K.S.A. 2006 Supp. 65-4921 is hereby amended to read as
15 follows: 65-4921. As used in K.S.A. 65-4921 through 65-4930, and amend-
16 ments thereto:

17 (a) "Appropriate licensing agency" means the agency that issued the
18 license to the individual or health care provider who is the subject of a
19 report under this act.

20 (b) "Department" means the department of health and environment.

21 (c) "Health care provider" means: (1) Those persons and entities de-
22 fined as a health care provider under K.S.A. 40-3401 and amendments
23 thereto; and (2) a dentist licensed by the Kansas dental board, a dental
24 hygienist licensed by the Kansas dental board, a professional nurse li-
25 censed by the board of nursing, a practical nurse licensed by the board
26 of nursing, a mental health technician licensed by the board of nursing,
27 *a mental health practitioner licensed by the state behavioral sciences reg-*
28 *ulatory board*, a physical therapist licensed by the state board of healing
29 arts, a physical therapist assistant certified by the state board of healing
30 arts, an occupational therapist licensed by the state board of healing arts,
31 an occupational therapy assistant licensed by the state board of healing arts,
32 arts and a respiratory therapist licensed by the state board of healing arts.

33 (d) "License," "licensee" and "licensing" include comparable terms
34 which relate to regulation similar to licensure, such as registration.

35 (e) "Medical care facility" means: (1) A medical care facility licensed
36 under K.S.A. 65-425 et seq. and amendments thereto; (2) a private psy-
37 chiatric hospital licensed under K.S.A. 75-3307b and amendments
38 thereto; and (3) state psychiatric hospitals and state institutions for the
39 mentally retarded, as follows: Larned state hospital, Osawatomie state
40 hospital, Rainbow mental health facility, Kansas neurological institute and
41 Parsons state hospital and training center.

42 (f) "Reportable incident" means an act by a health care provider
43 which: (1) Is or may be below the applicable standard of care and has a

1 reasonable probability of causing injury to a patient; or (2) may be grounds
2 for disciplinary action by the appropriate licensing agency.

3 (g) "Risk manager" means the individual designated by a medical care
4 facility to administer its internal risk management program and to receive
5 reports of reportable incidents within the facility.

6 (h) "Secretary" means the secretary of health and environment.

7 Sec. 2. K.S.A. 2006 Supp. 65-4921 is hereby repealed.

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