

SESSION OF 2016

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2571

As Amended by Senate Committee of the Whole

Brief*

HB 2571, as amended, would grant programs and treatments provided by a community mental health center (CMHC) licensed by the Secretary for Aging and Disability Services on or before July 1, 2016, and accredited by the Commission on Accreditation of Rehabilitation Facilities, the Joint Commission, or another national accrediting body approved by the Kansas Department for Aging and Disability Services (KDADS), a license renewal based on such accreditation, referred to as “deemed status.”

Additionally, the bill would allow KDADS to inspect an accredited CMHC to determine compliance with state licensing standards and rules and regulations not covered by the accrediting entity’s standards, or in response to a complaint made against the accredited CMHC. Finally, the bill would require that an accredited CMHC immediately notify KDADS in the event its accreditation is lost.

The bill would be in effect upon publication in the *Kansas Register*.

Background

At the House Committee on Health and Human Services hearing, representatives from the Association of Community Mental Health Centers; Kansas Association of Addiction Professionals; and Prairie View, a community mental health center, testified in favor of the bill. The proponents stated the

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

acceptance of deemed status by KDADS would allow those providers who obtain national accreditation to go through a licensure audit or inspection only once, instead of undergoing inspections by both the state and the accrediting organization. Additionally, proponents stated deemed status would encourage providers to seek accreditation, which is a higher standard of care than state licensure requirements.

A representative from the National Association of Social Workers, Kansas Chapter, testified in opposition to the bill stating the purpose of accreditation is to meet a prescribed standard for operation and quality improvements, and state licensure is to protect the public; therefore, accreditation should complement but not replace state licensure.

A representative from KDADS gave neutral testimony stating there is some overlap, but there also are several differences between Kansas regulations and accreditation standards. The representative stated if deemed status was authorized with enactment of this legislation, KDADS would be required to have separate licensing processes for accredited and non-accredited CMHCs.

The House Committee of the Whole amended the bill to address concerns brought forward by KDADS. The amendment deletes the term “an equivalent entity” and replaces it with “another national accrediting body approved by the Kansas Department for Aging and Disability Services.” Additionally, the amendment allows KDADS to inspect an accredited CMHC to determine compliance with state licensing standards and rules and regulations not covered by the accrediting entity’s standards, or in response to a complaint made against the accredited CMHC. Finally, the amendment requires an accredited CMHC immediately notify KDADS in the event its accreditation is lost.

The Senate Committee of the Whole amended the bill to change the effective date to publication in the *Kansas Register*.

The fiscal note prepared by the Division of the Budget, on the bill, as introduced, states passage of the bill would have no fiscal effect.