

65-211

Chapter 65.--PUBLIC HEALTH

Article 2.--LOCAL BOARDS OF HEALTH; CLINICS

65-211. Establishment of mental health clinics and joint boards of mental health in certain counties; charges; parolees; disposition of moneys; contract for services with nonprofit corporation, when; report. (a) In all counties wherein there is established a joint board of health pursuant to K.S.A. 65-205, and amendments thereto, the governing bodies of the municipalities involved may by resolution adopted by each of the governing bodies, provide for the establishment of a mental health clinic for the diagnosis and treatment of mental illness. If established, the mental health clinic shall be operated by and be subject to the jurisdiction of such joint board of health to the same extent as other public health services provided thereby. The joint board of health shall appoint a mental health advisory board of not less than seven members. Members of the mental health advisory board shall include consumers of mental health services or representatives of mental health consumer groups and shall include family members of mentally ill persons. The joint board of health shall establish a schedule of charges for services and medications to persons using the mental health clinic, but no person shall be denied the services and medications of the clinic because of inability to pay for the same. The mental health clinic also shall provide facilities for patients paroled thereto by lawfully constituted authority. All moneys received for services and medications rendered hereunder shall be applied on and used to finance the budget of the joint board of health. If the governing bodies of the municipalities involved hereunder determine by resolution adopted by each of the governing bodies that it is more practicable to contract for such mental health services and medications with a nonprofit corporation, then and in that event the joint board of health shall contract with a nonprofit corporation to provide mental health services hereunder. The governing body of any such nonprofit corporation shall include consumers of mental health services or representatives of mental health consumer groups and shall include family members of mentally ill persons. The nonprofit corporation shall not deny service or medication to anyone because of inability to pay for the same, but the nonprofit corporation may establish a schedule of charges for those who are financially able to pay for such services or medication. The nonprofit corporation annually shall provide the joint board of health with a complete financial report showing the amount of fees collected, the amount of tax money received under the contract, and any other income. The report also shall show any other disbursements, including salaries paid to each person employed by the nonprofit corporation.

(b) In lieu of contracting with a nonprofit corporation to provide mental health services, the governing bodies of municipalities which have established a joint board of health pursuant to K.S.A. 65-205, and amendments thereto, may establish a joint board of mental health for the purpose of authorizing such board to contract for and on behalf of the governing bodies of the municipalities with a nonprofit corporation to provide mental health services. The governing body of any such nonprofit corporation shall include consumers of mental health services or representatives of mental health consumer groups and shall include family members of mentally ill persons. Members of the joint board of mental health shall be appointed in the same manner as members are appointed to the joint board of health. Any joint board of mental health which is authorized to contract with a nonprofit corporation under this subsection is hereby authorized to pay the amount agreed upon in such contract with a nonprofit corporation from the proceeds of the tax levied pursuant to K.S.A. 65-212, and amendments thereto, for mental health services.

History: L. 1955, ch. 285, § 1; L. 1957, ch. 335, § 1; L. 1961, ch. 283, § 1; L. 1965,

ch. 371, § 1; L. 1985, ch. 207, § 1; L. 1990, ch. 92, § 31; Jan. 1, 1991.

65-212

Chapter 65.--PUBLIC HEALTH

Article 2.--LOCAL BOARDS OF HEALTH; CLINICS

65-212. Establishment of mental health clinics and joint boards of mental health in certain counties; tax levies, use of proceeds; issuance of bonds; adoption and publication of resolution; protest petition and election. The board of county commissioners of any such county may, upon the establishment of such mental health clinic, levy an annual tax upon all taxable tangible property in such county for the operation of such mental health clinic, and in addition thereto to provide for the construction of facilities for such mental health clinic and to pay a portion of the principal of and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county. In addition to the levy authorized for the operation of such mental health clinic, the board of county commissioners may levy an annual tax on all taxable tangible property in their county and may issue and sell general obligation bonds of such county, for the purpose of creating and providing a special fund to be used in acquiring a site for, and the building, equipping, repairing, remodeling and furnishing of a mental health clinic or for any one or more of such purposes. Such levy may also be used to pay a portion of the principal of and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county. Such additional tax levy may be made annually until sufficient funds have been created for such purpose or purposes, or if the county has issued and sold general obligation bonds, the proceeds raised by the annual tax levy shall be used to retire the general obligation bonds and such tax levy shall continue until the general obligation bonds have been retired. Such federal, state or private funds as may be available may be accepted by the board of county commissioners to be placed in the fund for operation of or construction of a mental health clinic as the case may be. Title to the building or buildings of the mental health clinic shall vest in the board of county commissioners and they may allow the mental health clinic which is subject to the jurisdiction of the joint board of health pursuant to K.S.A. 65-211, and amendments thereto, to use the building without charge. The proceeds thereof shall be placed in the hands of the treasurer of the joint board of health, to be administered as provided by K.S.A. 65-206, and amendments thereto. No levy shall be made under the provisions of this act until a resolution authorizing the making of such levies is passed by the board of county commissioners and published in three successive issues in a newspaper of general circulation within the county, whereupon such levies may be made unless a petition in opposition to the same, signed by electors equal in number to not less than 10% of the qualified electors of such county who voted for the office of secretary of state in the last preceding election, is filed with the county clerk of such county within 30 days following the last publication of such resolution.

In the event such petition is filed it shall be the duty of the board of county commissioners to submit the question to the voters at an election called for such purpose or at the next general election. None of the debt limitations prescribed by law for any such county shall apply to any bonds issued under the authority conferred by this act. The provisions of this act shall be supplemental to other existing health laws in the counties affected thereby, but shall in no way abrogate or amend any such other existing health laws.

History: L. 1955, ch. 285, § 2; L. 1961, ch. 284, § 1; L. 1965, ch. 371, § 2; L. 1970, ch. 100, § 39; L. 1975, ch. 162, § 37; L. 1979, ch. 52, § 159; L. 1988, ch. 378, § 1; L. 1999, ch. 154, § 42; May 27.

65-213

Chapter 65.--PUBLIC HEALTH

Article 2.--LOCAL BOARDS OF HEALTH; CLINICS

65-213. Mental health clinic in certain counties; board of trustees, appointment, qualifications, terms. (a) In all counties having a population of more than 20,000 and less than 22,000, and having an assessed tangible valuation of more than \$40,000,000, wherein there has been established a county hospital, the board of county commissioners of such county may, by resolution, provide for the establishment of a mental health clinic for the diagnosis and treatment of mental illness, which mental health clinic, when so established, shall be operated by and subject to the jurisdiction of a board of trustees.

(b) The board of trustees shall consist of five citizens who shall be appointed by the board of county commissioners with reference to their fitness for such office, all residents of the county, not more than three members shall be residents of the city in which the hospital is located. In addition, the board of trustees shall include consumers of mental health services or representatives of mental health consumer groups and shall include family members of mentally ill persons.

(c) The members shall be appointed initially to hold their office as follows, three for four years and two for two years, and, thereafter, each subsequent two years, the board of county commissioners shall appoint, for four-year terms, successors to such members whose terms have expired.

History: L. 1957, ch. 345, § 1; L. 1990, ch. 92, § 32; Jan. 1, 1991.

65-214

Chapter 65.--PUBLIC HEALTH

Article 2.--LOCAL BOARDS OF HEALTH; CLINICS

65-214. Same; treasurer of board, election, bond; expenditures. It shall be the duty of the board of trustees to elect a treasurer, who shall be a member of such board. Such treasurer shall hold office for the term for which he is appointed under K.S.A. 65-213, and shall give bond, to be approved by the board of county commissioners, for the safekeeping and due disbursement of all funds that may come into his hands. The board of trustees shall have exclusive control over the expenditure of all moneys paid to the credit of its treasurer under K.S.A. 65-215, and the treasurer shall receive and pay out all the moneys under the control of the board of trustees as ordered by it.

History: L. 1957, ch. 345, § 2; April 6.

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Chapter 65.--PUBLIC HEALTH

Article 2.--LOCAL BOARDS OF HEALTH; CLINICS

65-215. Same; tax levies, use of proceeds; adoption and publication of resolution; protest petition and election. The board of county commissioners of any

such county may, upon the establishment of such mental health clinic, levy an annual tax upon all taxable tangible property in such county and the proceeds thereof shall be placed in the hands of the treasurer of said board of trustees, to be administered as provided by K.S.A. 65-214 and to pay a portion of the principal and interest on bonds issued under the authority of K.S.A. 12-1774, and amendments thereto, by cities located in the county. No levy shall be made under the provisions of this act until a resolution authorizing the making of such levies be passed by the board of county commissioners by publication for three successive issues in a newspaper of general circulation within the county, whereupon such levies may be made unless a petition in opposition to the same, signed by not less than ten percent (10%) of the qualified electors of such county as determined by the vote for secretary of state in the last preceding election, is filed with the county clerk of such county within thirty (30) days following the last publication of said resolution.

In the event such petition is filed it shall be the duty of the board of county commissioners to submit the question to the voters at an election called for such purpose or at the next general election. The provisions of this act shall be supplemental to other existing health laws in the counties affected thereby, but shall in no way abrogate, or amend any such other existing health laws.

History: L. 1957, ch. 345, § 3; L. 1970, ch. 100, § 40; L. 1975, ch. 162, § 38; L. 1979, ch. 52, § 160; July 1.

