

Licensing Packet and Instructions

The following items are included with this Licensure Packet.

1. License application form.
2. Applicable Statutes and Regulations.
3. You must comply with both the State Fire Marshal and local codes.

Items to be submitted for licensure:

1. Certification that the applicant's chief director of services is qualified including:
 - A bachelor's or higher degree in a field of human services awarded by an accredited college or university;
 - Work experience in the area of human services at the rate of 1040 hours of paid work experience substituted for a semester of higher education, which shall mean 15 undergraduate credit hours with at least eight full-time semester's worth of either satisfactorily passed education or work experience.
 - Certification that the applicants chief director of services, regardless of title, is qualified to supervise the delivery of a program of services to persons, as evidenced by that individual's having one of the following:
 - At least one year of experience in a senior management-level position with a licensed provider;
 - at least two years of experience as either a case manager or a services manager with supervisory authority over at least two other individuals providing direct services to persons
 - at least five years of experience delivering direct care services to persons;
 - Three letters of reference concerning the applicant's chief director of services, regardless of title. Each letter written shall be by an individual knowledgeable both of the applicant and of the delivery of services to persons evidence of completion of a background check meeting the requirements of the SRS/CSS policy regarding background checks, dated September 8, 2009 and hereby adopted by reference, done on the applicant's chief director of services, regardless of title;
 - a set of written policies and procedures specifying how the applicant intends to comply with the requirements of this article
 - a written business plan that shows how the applicant intends to market its services, to accommodate growth or retrenchment in the size of its operations without jeopardizing consumer health or safety issues, to respond to other risk factors as could be foreseeable in the specific case of that applicant, and to keep the operation fiscally solvent during the next three years, unless the application is for a renewal of a succession of licenses that the applicant has had for at least three years. In this case, the viability of the applicant's operation shall be presumed, unless the commissioner determines that there is reason to

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question the viability of the licensed provider applying for license renewal and requires the submission of a written business plan despite how long the renewal applicant has been previously licensed

- If required of the applicant by the United States department of labor, a subminimum wage and hour certificate.

For a limited license: each applicant shall provide the following:

- A description of the preexisting relationship with the one or two persons proposed to be provided services
- If the proposed guardian or proposed conservator is a person who provides care or other services, or is an employee of an agency, partnership or corporation, which provides care or other services to persons with a disability similar in nature to the condition or conditions which contribute to the impairment of the ward or conservatee, then that person or employee may be appointed as the guardian or conservator only when the person or employee:
 - **(A) Is the spouse, parent, grandparent, child, grandchild, sibling, niece, nephew, aunt or uncle of the ward or conservatee, and the court is satisfied that the person or employee is aware of issues of conflict of interest and, for persons appointed on or after January 1, 2009, has completed the basic instructional program referenced in subsection (j) of [K.S.A. 59-3069](#), and amendments thereto;**
 - (B) does not personally provide nor supervise the providing of care or other services to the ward or conservatee, and the person or employee is not in a position to be called upon to advocate for the agency, partnership or corporation, in opposition to the interests of the ward or conservatee; or
 - (C) is the only person readily available to be appointed and the court is satisfied that the person or employee is aware of issues of conflict of interest and, for persons appointed on or after January 1, 2009, has completed the basic instructional program referenced in subsection (j) of [K.S.A. 59-3069](#), and amendments thereto.
- documentation that the individual who will be chiefly responsible for providing services is qualified to do so, as evidenced by that individual's having either of the following:

-At least one year of work experience in providing services to a person completion of the curriculum of studies designated by the commission and accessed through the commission's web site.

-evidence of completion of a background check meeting the requirements of the background check policy adopted by reference done on the individual who will be chiefly responsible for the operations of the applicant;-

a written plan that shows how the applicant intends to comply with the requirements of this article applicable to the specific circumstances of the one or two persons to whom those services are proposed to be provided

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-a written business plan that shows how the applicant intends to keep the applicant's proposed provider operation fiscally solvent during the next three years, except as specified in this paragraph. If the application is for a renewal of a succession of licenses that the applicant has had for at least three years, the viability of the applicant's operation shall be presumed, unless the commissioner determines that there is reason to question the viability of the licensed provider applying for license renewal and requires the submission of a written business plan, regardless how long the applicant has been previously licensed.

The applicant shall be notified in writing if the commission finds that the applicant is not in compliance with the requirements.

For additional information or questions, please contact Susan.fout@kdads.ks.gov