

<p>OPERATION POLICY AND PROCEDURES</p> <p>Kansas Department for Aging and Disability Services Community Services and Programs Behavioral Health Services/SUD</p> <p><u>Denial, Suspension or Revocation of License and Corrective Action Policy</u></p>	<p>Policy No.: <u>BHS/LICEN 301</u> Date Approved: <u>12/22/07</u> Effective Date: <u>1/1/08</u> Revised: <u>7/7/14</u> Status: <u>Approved</u> Page(s): <u>2</u></p>
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Policy: The Kansas Department for Aging and Disability Services/Behavioral Health Services (KDADS/BHS) may deny, suspend, or revoke the license of a program, if found to not be in compliance with licensing standards. (See K.S.A. 65-4015)

Purpose: To provide a consistent process for denying, suspending or revoking a program license thus ensuring quality of care for all consumers accessing and receiving alcohol and drug treatment services.

Procedure:

1. KDADS/BHS shall approve or deny any application (initial application, renewal and/or application for additional modality) within 90 calendar days of receipt of a completed application. (See Standard R03-802 B)
2. Following the receipt of a Licensing Tool/site visit report indicating the violations of a licensed program, the licensee shall provide a written response to KDADS/BHS Central Office, within thirty (30) calendar days, addressing the major violations and any violations that have been cited two (2) years in a row with a Corrective Action Plan (CAP). (LICEN 301- Attachment B) (See Standard R03-804 B)
 - a) The CAP shall contain the plan for correction, the date the plan will be implemented, and how the program will maintain the corrections.
 - b) Upon receipt of the CAP
 - i. KDADS/BHS Central Office staff will document receipt in the CAP Log and will forward the CAP to the assigned Program Consultant (PC),
 - ii. The assigned PC will determine if the CAP is complete, and will work with the program to ensure completion and implementation.
 - c) If the CAP is not received within the thirty (30) calendar days, a Notice of Action will be sent to the licensee indicating that unless the CAP is received within thirty (30) days, the license of a program will be revoked.
 - d) The facility shall be given ninety (90) calendar days, from the date of the Licensing Tool/site visit report to correct the violations in accordance with approved corrective action plan. (See Standard R03-804 B)
 - e) If a licensee cannot completely implement the CAP with ninety (90) calendar days from receipt of Licensing Tool/site visit report, the licensee shall request an extension by providing:
 - i. Written documentation of rationale for extension.
 - ii. Written documentation of corrective steps in process, and
 - iii. A timeline in which program will be in compliance.
 - f) Extensions may be granted in thirty (30) calendar day increments, and shall not exceed ninety (90) calendar days.
 - g) KDADS/BHS Central Office may deny extensions.

1. KDADS/BHS may revoke the license or certification of a program due to uncorrected major violations or other standard violations that have been cited two (2) years in a row. Prior to revoking a program's license, a Notice of Action will be sent to the licensee indicating the program license will be revoked in thirty (30) days if appropriate corrections are not made. This action is subject to administrative hearings and appeals process. (See K.S.A. 65-4015)
2. KDADS/BHS may immediately suspend the license or certification of a program when there has been substantial failure to comply with the requirements established under law that results in an immediate threat to the safety and/or quality of care of clients. This action is subject to administrative hearings and appeals process. (See K.S.A. 65-4015)

Approved by:

Behavioral Health Director

Date

Community Services and Programs
Commissioner

Date

KDADS Legal Counsel

Date