

Testimony related to Psychiatric Bed Availability

Presented to: Legislative Budget Committee

By: Laura Howard, Secretary Kansas Department for Aging and Disability Services

December 13, 2019

Chairman Waymaster and Members of the Committee,

KDADS has historically contracted with KVC Hospitals to provide inpatient psychiatric services for individuals under 21 through a program called High Acuity Psychiatric Hospitalization for Youth (HAPHY) since the State Psychiatric Hospitals stopped providing those services. Admissions to guaranteed HAPHY beds are both for the uninsured and those youth with high acuity who cannot be served in another facility. Each KanCare MCO and private insurance company has a provider network of private psychiatric hospitals and PRTFs that provide inpatient psychiatric services to individuals under 21. Recently KVC Hospitals opened a new hospital in Wichita and converted hospital beds from KVC Hospitals Hays to PRTF beds. This creates a situation where children that would meet criteria for the HAPHY program would have to travel to Wichita or Kansas City instead of Hays or Kansas City.

There are both state and federal regulations that apply to PRTFs and children's psychiatric hospitals, two of those regulations were cited by KDADS in February when communicating with KVC Hospitals about their Hays facility.

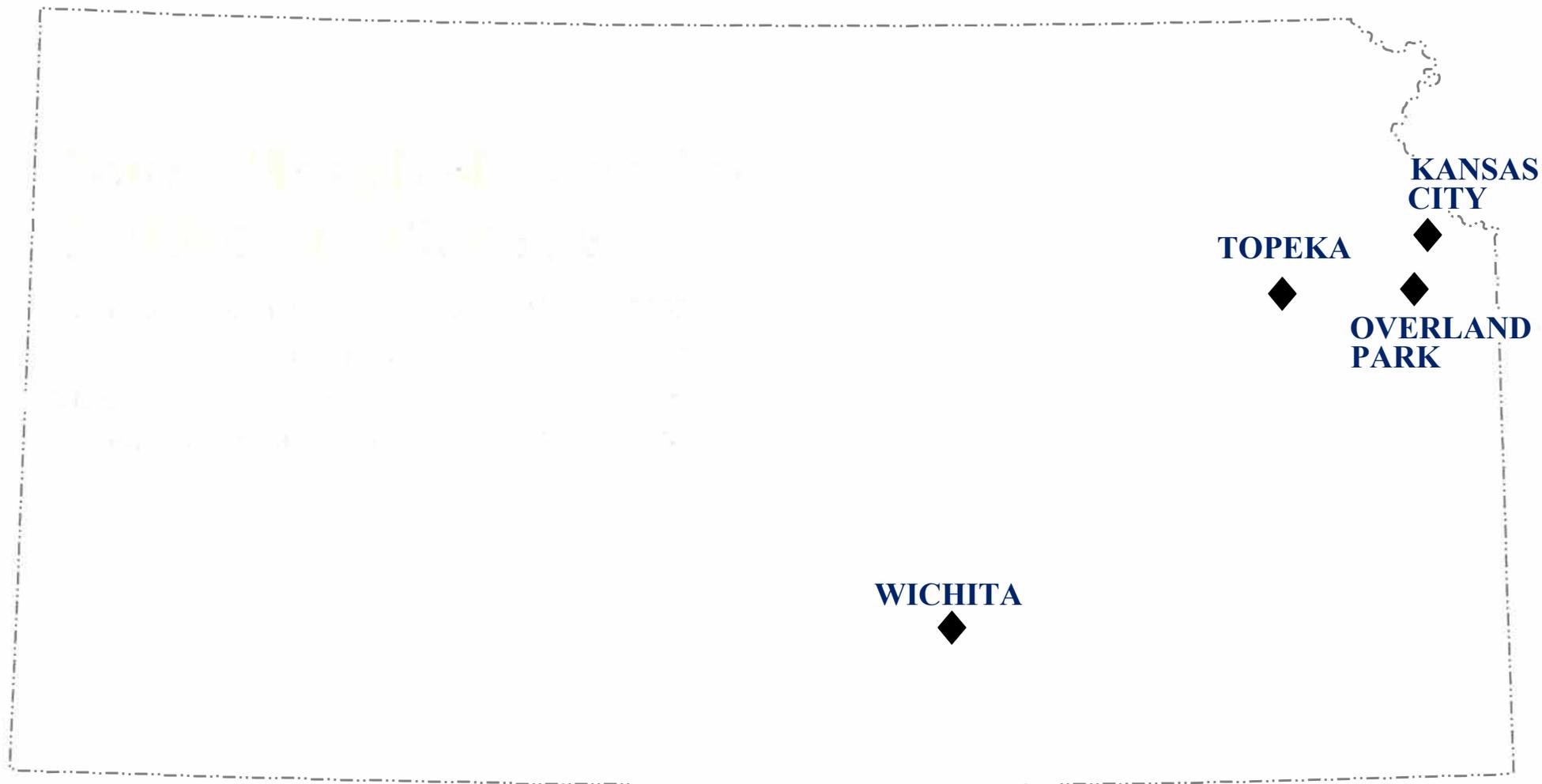
- 1) CMS Regulations CFR 483 for inpatient psychiatric services for individuals under 21 cited in the letter to KVC Hospitals dated 2/12/19 state that those services are provided in a psychiatric hospital (or a distinct part thereof) or another approved inpatient setting.
- 2) KDADS Regulations for PRTF Environmental Standards cited in the letter to KVC Hospitals dated 2/12/19 KAR 28-4-1215 states that a living unit shall be maintained in a separate, self-contained unit.

KVC Hospital Hays is licensed as a PRTF. As a free-standing PRTF that is not a wing or separate portion of a hospital, KVC Hospitals Hays meets a state-defined standard for licensure of the facility that is lower than the federal standard for hospital facilities.

If Western Kansas communities want to open a psychiatric hospital for youth under 21 there are no state regulations or statutes that would need to be amended for them to apply for a hospital license from KDADS. The facility would need to meet federal and state standards for fire marshal approval and licensure.

Thank you for the opportunity to present this information today and I would be happy to stand for questions.

Acute Hospitals Serving Children in Kansas



- Ascension Via Christi/ Wichita, KS - 14 beds
- KVC / Kansas City - 49 beds
- KVC / Wichita - 54 beds
- Marillac / Overland Park - 64 beds
- Stormont Vail West/ Topeka - 20 beds

**KDADS Common Set of Points:
Dated 11/7/19**

<p>1. SRS closes Rainbow Mental Health Facility (20 child beds) and establishes a private/public partnership with KVC Hospitals to provide care for children on eastern side of the state.</p>	<p>2007</p>
<p>2. SRS converts Larned State Hospital unit (10 child beds) to adult beds. KVC Hospitals opens a facility in Hays to serve children on the western side of the state with Class 1 PRTF contract awarded through a competitive RFP process which was intended to provide additional flexibility and sustainability in Western Kansas, as well as a no eject/no reject admissions policy distinct from other PRTFs.</p>	<p>2010</p>
<p>3. KDADS issues new RFP and awards High Acuity Psychiatric Hospitalization for Youth (HAPHY) contract to KVC. This removes state hospital catchment areas from youth services and directs services to be provided as close to home as possible.</p>	<p>2016</p>
<p>4. KDADS Survey and Certification identifies KVC Hospitals Hays formally KVC Wheatland operational practice is out of compliance with CMS and Kansas regulations, specific to separate self-contained unit for PRTF services.</p>	<p>2017</p>
<p>5. KDADS works with KVC to determine solutions that could meet the regulations. It was determined that it would be difficult to maintain operations of a separate acute facility.</p>	<p>2017-2019</p>

**KDADS Common Set of Points:
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<p>6. Secretary Laura Howard and Commissioner Andy Brown meet with Ryan Speier to discuss HAPHY and KVC Hospital Hays to attempt to resolve issues.</p>	<p>January 2019</p>
<p>7. After conferring with KDHE, KDADS issues instruction to KVC regarding the need for separate self-contained units to comply with CMS and Kansas regulations by 4/1/2019.</p>	<p>Letter dated 2/12/2019</p>
<p>8. KVC notifies CMHCs regarding changes to KVC Hospitals Hays to comply with federal and state regulations and potential impact on admission process.</p>	<p>Email dated 2/21/2019</p>
<p>9. CMS publishes revised interpretive guidelines regarding the assessment of ligature risks. KVC determines new CMS ligature requirements would be necessary to certify an acute care hospital at KVC Hospital Hays.</p>	<p>Published June 2018</p>
<p>10. KVC opens new Wichita Children's Hospital with 54 acute care beds.</p>	<p>July 15th 2019</p>
<p>11. KVC announces starting October 21, 2019, KVC Hospitals Hays will transfer to an all PRTF facility and add additional beds, for a total of 50 PRTF beds. HAPHY eligible youth will be served in Wichita or Kansas City.</p>	<p>Email dated 9/9/2019</p>