

59-2006b. Basic maximum rate of charge for treatment of patients in certain institutions; computation; publication; judicial notice; "state institution" defined. (a) At least annually, the secretary for aging and disability services shall establish the basic maximum rate of charge for treatment of patients in each state institution, except that such rates shall not exceed projected hospital costs of the state institution, including the allocated costs of services by other state agencies, as determined by application of generally acceptable hospital accounting principles. In determining these rates, the secretary shall compute the average daily projected operating cost of treatment of all patients in each state institution and shall set a basic maximum rate of charge for each and every patient in each state institution and each such patient's responsible relatives at the average daily projected operating cost of each institution so computed. When established pursuant to this section, each such rate shall be published in the Kansas register by the secretary and thereafter, until a subsequent rate is published as provided in this section, the rates last published shall be the legal rate of charge. All courts in this state shall recognize and take judicial notice of the procedure and the rates established under this section.

(b) In lieu of the procedure for computing the basic maximum rate of charge established under subsection (a), the secretary for aging and disability services may authorize any state institution to compute an individual patient charge on the basis of rates for services based on cost incurred by such state institution as determined by application of generally acceptable hospital accounting principles.

(c) As used in this section, "state institution" means the Osawatomie state hospital, Rainbow mental health facility, Lamed state hospital, including the state security hospital, Parsons state hospital and training center and the Kansas neurological institute.

History: L. 1967, ch. 474, § 2; L. 1969, ch. 281, § 2; L. 1974, ch. 237, § 2; L. 1978, ch. 349, § 5; L. 1981, ch. 227, § 1; L. 1981, ch. 324, § 17; L. 1988, ch. 201, § 1; L. 2014, ch. 115, § 199; July 1.