

**65-5a14. Rules and regulations for system of priorities for children; consultation with representatives of medical society.** The secretary of health and environment shall adopt rules and regulations establishing a system of priorities for providing services, devices, equipment and supplies to children under the provisions of this act which will give consideration to the medical needs of the patient and the financial ability of the patient to pay the cost thereof and will insure that available funds will be used where the need is greatest. Such system of priorities shall provide care and treatment only for children having a condition that can reasonably be expected to be aided or improved by treatment and shall include, but shall not be limited to:

- (a) Congenital malformations requiring major surgical repair;
- (b) catastrophic and chronic diseases of children (such as hydronephrosis, and chronic nephritis);
- (c) intellectual disability or mental disability with associated serious physical defects;
- (d) orthopedic conditions (not including relaxed flat feet or treatment or supportive devices therefor);
- (e) burns requiring plastic surgery;
- (f) cardiovascular (congenital and acquired heart disease or anomalies of the major blood vessels); and
- (g) malignant disease (such as leukemia, Wilm's tumor, osteogenic sarcoma, etc., but not to include terminal care).

In adopting the rules and regulations, the secretary of health and environment shall consult with and give consideration to the recommendations of representatives of the Kansas medical society designated or selected by the society for such purpose.

A child with special health care needs shall not be denied services because the child is a person with intellectual disability.

**History:** L. 1971, ch. 251, § 2; L. 1977, ch. 214, § 9; L. 1978, ch. 238, § 9; L. 1984, ch. 226, § 8; L. 1988, ch. 241, § 8; L. 2012, ch. 91, § 40; July 1.