

### **200.503 Definitions for KRS 200.501 to 200.509.**

As used in KRS 200.501 to 200.509, unless the context otherwise requires:

- (1) "Child with a behavioral health need" means a child with, or at risk of developing, an emotional disability, substance abuse disorder, or mental, emotional, or behavioral needs;
- (2) "Child with an emotional disability" means a child with a clinically significant disorder of thought, mood, perception, orientation, memory, or behavior that is listed in the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders and seriously limits a child's capacity to function in the home, school, or community;
- (3) "Child with a severe emotional disability" means a child with a clinically significant disorder of thought, mood, perception, orientation, memory, or behavior that is listed in the current edition of the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders and that:
  - (a) Presents substantial limitations that have persisted for at least one (1) year or are judged by a mental health professional to be at high risk of continuing for one (1) year without professional intervention in at least two (2) of the following five (5) areas: "Self-care," defined as the ability to provide, sustain, and protect his or herself at a level appropriate to his or her age; "Interpersonal relationships," defined as the ability to build and maintain satisfactory relationships with peers and adults; "Family life," defined as the capacity to live in a family or family type environment; "Self-direction," defined as the child's ability to control his or her behavior and to make decisions in a manner appropriate to his or her age; and "Education," defined as the ability to learn social and intellectual skills from teachers in available educational settings; or
  - (b) Is a Kentucky resident and is receiving residential treatment for emotional disability through the interstate compact; or
  - (c) The Department for Community Based Services has removed the child from the child's home and has been unable to maintain the child in a stable setting due to behavioral or emotional disturbance; or
  - (d) Is a person under twenty-one (21) years of age meeting the criteria of paragraph (a) of this subsection and who was receiving services prior to age eighteen (18) that must be continued for therapeutic benefit;
- (4) "State Family Advisory Council" means the council composed of all parent members or alternate parent members of the state, regional, and local interagency councils for services to children with a behavioral health need pursuant to KRS 200.505 and 200.509 and all parent members of regional policy councils; and
- (5) "Least restrictive alternative mode of treatment" means treatment given in the least confining setting which will provide a child with an emotional disability or severe emotional disability appropriate treatment or care consistent with accepted professional practice. For purposes of this section, least restrictive alternative mode of treatment may include an institutional placement.

**Effective:** July 15, 2014

**History:** Amended 2014 Ky. Acts ch. 132, sec. 17, effective July 15, 2014. -- Amended 2000 Ky. Acts ch. 14, sec. 26, effective July 14, 2000. -- Amended 1996 Ky. Acts ch. 303, sec. 1, effective July 15, 1996. -- Amended 1992 Ky. Acts ch. 24, sec. 2, effective July 14, 1992. --Created 1990 Ky. Acts ch. 266, sec. 2, effective July 13, 1990.