

**210.300 Designation of hospital districts -- Guidelines -- Administrative Regulations -- Annual review.**

- (1) The secretary of the Cabinet for Health and Family Services shall promulgate administrative regulations no later than October 1, 2022, in accordance with KRS Chapter 13A establishing hospital districts, for the purpose of determining to which of the state institutions or contracted hospitals for the mentally ill the persons admitted from each county shall initially be sent.
- (2) In establishing the hospital districts under subsection (1) of this section, the secretary shall consider the:
  - (a) Distance and travel time from each county to a state institution or contracted hospital for the mentally ill;
  - (b) Need to transport the individual to a hospital or psychiatric facility to secure an evaluation or for admission without unnecessary delay as required under KRS Chapters 202A, 202B, and 202C; and
  - (c) Population of the hospital districts based upon the most recent federal decennial census.
- (3) The secretary shall also establish and maintain a list of local hospitals containing a psychiatric unit or crisis stabilization unit approved by the cabinet to which individuals may be transported and admitted as an alternative to a state institution or contracted hospital for the mentally ill when clinically appropriate due to circumstances that include but are not limited to:
  - (a) The ability or inability of the designated state institution or contracted hospital to accept the individual to be transported or evaluated without delay due to capacity limitations, lack of staffing, or other impediment; or
  - (b) The need for immediate and emergent treatment or evaluation arising from but not limited to the threat or reasonable fear of physical harm to the individual or any employee or agent of the transporting agency or service.

Only those hospitals that have filed a written notice with the cabinet of the hospital's willingness to accept patients under this subsection may accept admissions.

- (4) The secretary shall review the hospital districts on an annual basis to ensure transports and evaluations occur without unnecessary delay as required under this section and KRS Chapters 202A, 202B, and 202C, and shall provide a report to the Interim Joint Committee on Health, Welfare, and Family Services and the Interim Joint Committee on Judiciary on or before October 1, 2022, and on or before October 1 of each year thereafter. The report shall, at a minimum, include:
  - (a) Any changes made to any hospital district and the reason for the change;
  - (b) The name and location of state institutions accepting patients for admission under KRS Chapters 202A, 202B, and 202C, including the counties the state institution serves; and
  - (c) The name and locations of any contracted hospital accepting patients for admission under KRS Chapters 202A, 202B, and 202C, including the counties the contracted hospital serves.

**Effective:** July 14, 2022

**History:** Amended 2022 Ky. Acts ch. 175, sec. 1, effective July 14, 2022. -- Amended 2005 Ky. Acts ch. 99, sec. 324, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 269, effective July 15, 1998. -- Amended 1974 Ky. Acts ch. 74, Art. VI, sec. 107(1) and (8). -- Amended 1968 Ky. Acts ch. 90, sec. 64(3). -- Amended 1960 Ky. Acts ch. 67, sec. 17. -- Amended 1952 Ky. Acts ch. 50, sec. 28. -- Recodified 1942 Ky. Acts ch. 208, sec. 1, effective October 1, 1942, from Ky. Stat. sec. 216aa-83.

**Formerly codified as** KRS 202.170.