

## 2012 Kansas Statutes

**75-3328. Transfer of inmates between institutions, when; notice.** Whenever it is found by the secretary of social and rehabilitation services that any person admitted to any institution operated by the commissioner of mental health and developmental disabilities or by the commissioner of youth services requires specialized diagnosis, treatment or care not available at the institution where the person resides and that the specialized diagnosis, treatment or care is available at another institution operated by the secretary of social and rehabilitation services, such person upon the order of the commissioner of mental health and developmental disabilities or the commissioner of youth services, as appropriate, shall be transferred to such other institution for the purpose of receiving the specialized diagnosis, treatment or care available there and when the purposes for which the person was transferred have been fulfilled, the person shall be returned to the original institution.

Any person transferred as provided in this section shall remain subject to the same statutory provisions as were applicable at the institution from which that person was transferred and in addition thereto shall abide by and be subject to all the rules and regulations of the institution to which such person has been transferred. The person's next of kin and guardian, if one has been appointed, shall be notified of the transfer and if the person has been committed to the original institution by a court notice shall be sent to the committing court. Except in cases of emergency, the notice shall be given at least two weeks prior to the date of the transfer. If the person objects to the transfer to another institution, either personally or through a guardian, then the regular procedure for admission or commitment to the receiving institution shall be followed.

**History:** L. 1961, ch. 434, § 1; L. 1982, ch. 357, § 24; L. 1995, ch. 234, § 26; Jan. 1, 1996.