

**65-5101. Definitions.** As used in this act, unless the context otherwise requires:

- (a) "Council" means the home health services advisory council created by this act;
- (b) "home health agency" means a public or private agency or organization or a subdivision or subunit of such agency or organization that provides for a fee one or more home health services at the residence of a patient but does not include local health departments which are not federally certified home health agencies, durable medical equipment companies which provide home health services by use of specialized equipment, independent living agencies, the Kansas department for aging and disability services and the department of health and environment;
- (c) "home health services" means any of the following services provided at the residence of the patient on a full-time, part-time or intermittent basis: Nursing, physical therapy, speech therapy, nutritional or dietetic consulting, occupational therapy, respiratory therapy, home health aid, attendant care services or medical social service;
- (d) "home health aide" means an employee of a home health agency who is not licensed or professionally registered to provide home health services but who assists, under supervision, in the provision of home health services and who provides related health care to patients but shall not include employees of a home health agency providing only attendant care services;
- (e) "independent living agency" means a public or private agency or organization or a subunit of such agency or organization whose primary function is to provide at least four independent living services, including independent living skills training, advocacy, peer counseling and information and referral as defined by the rehabilitation act of 1973, title VII, part B, and such agency shall be recognized by the secretary for aging and disability services as an independent living agency. Such agencies include independent living centers and programs which meet the following quality assurances:
  - (1) Accreditation by a nationally recognized accrediting body such as the commission on accreditation of rehabilitation facilities; or
  - (2) receipt of grants from the state or the federal government and currently meets standards for independent living under the rehabilitation act of 1973, title VII, part B, sections (a) through (k), or comparable standards established by the state; or
  - (3) compliance with requirements established by the federal government under rehabilitation services administration standards for centers for independent living;
- (f) "part-time or intermittent basis" means the providing of home health services in an interrupted interval sequence on the average of not to exceed three hours in any twenty-four-hour period;
- (g) "patient's residence" means the actual place of residence of the person receiving home health services, including institutional residences as well as individual dwelling units;
- (h) "secretary" means secretary of health and environment;
- (i) "subunit" or "subdivision" means any organizational unit of a larger organization which can be clearly defined as a separate entity within the larger structure, which can meet all of the requirements of this act independent of the larger organization, which can be held accountable for the care of patients it is serving and which provides to all patients care and services meeting the standards and requirements of this act; and
- (j) "attendant care services" shall have the meaning ascribed to such term under K.S.A. 65-6201, and amendments thereto.

**History:** L. 1984, ch. 335, § 1; L. 1985, ch. 222, § 1; L. 1990, ch. 233, § 1; L. 2014, ch. 115, § 269; July 1.