

Janet Stanek, Secretary

Laura Kelly, Governor

In response to your inquiry regarding new construction, renovation and or remodeling projects, please note the following requirements of KDHE:

Plans and specifications for alterations and additions to any existing hospital do not need to be submitted for minor alterations. “Minor Alterations” means those projects that meet the following conditions:

- i. Do not affect the structural integrity of the building.*
- ii. Do not change functional operations.*
- iii. Do not affect fire safety; and*
- iv. Do not add beds or facilities over those for which the hospital is licensed.*

However, we do ask that you submit a letter of intent to KDHE and the Kansas State Fire Marshal’s office if you believe your project meets the criteria for Minor Alterations. We will review the information and determine if the criteria are met.

All construction, including new buildings, replacement facilities and additions or alterations to existing buildings, shall be in accordance with the standards set forth in the American Institute of Architects Academy of Architecture for Health, publication No. ISBN 1-55835-151-5, entitled “1996-97 Guidelines for Design and Construction of Hospitals and Health Care Facilities,” copyrighted in 1996, and hereby adopted by reference in KAR 28-34-32b.

NOTE: You may use a more current version of the guidelines other than the 1996/1997 as stated above. If you choose to do this, include the guideline in the certification letter described below. The newer guidelines must be used in the entirety for the project. You cannot switch back and forth between newer/older guidelines.

For Critical Access Hospitals Only: You must contact in writing, the KDHE Director of Primary Care and Rural Health requesting a Necessary Provider Assurance letter for CMS. If construction plans include relocation of facility, the request should include the future physical address of the facility. KDHE Office of Primary Care and Rural Health will follow up through email attaching an official letter which will be sent to the Regional CMS Office. A copy of letter will be also be emailed to Kansas Hospital Association and KDHE Director of Health Facilities. See address below.

Before commencing construction, the architect shall certify, in writing, to the Kansas Department of Health and Environment (KDHE) that the contract documents are compliant with *subsections (a), (b), and (c) of KAR 28-34-32b. The written certification shall also include the following:

- The name of the facility as it appears or will appear on the license and the CCN# if applicable.
- a narrative description of extent of the project.
- the physical location of the project.
- any change in room numbers and bed assignment if a hospital or CAH; and
- the expected completion date of the project to the licensing agency, which shall be provided at least 30 days before the project completion date.
- general contractor contacts information; and
- a full set of building plans and code footprint (pdf format) including the electrical, plumbing, mechanical or a link where the plans can be downloaded.

*** If this is for an Ambulatory Surgery Center (ASC) additional reference to KAR 28-34-51 and 28-34-62a.**

In addition to KDHE requirements, you must also notify the Kanas State Fire Marshal's office for all new construction, renovation and or remodeling projects and complete their required processes.

Mailing and Email Address Information for the State Fire Marshal:

Brenda McNorton
800 SW Jackson St., Suite 104
Topeka, Kansas 66612-1216
Main Phone: 785-296-3401
FAX: 785-296-0151
Web Site: <https://firemarshal.ks.gov/>
Email: prevention@ks.gov

Once approval is received in writing from both the State Fire Marshal and KDHE, the architect may begin with construction.

The contractor is to notify KDHE through email when they are about 30 days from 50% completion and about 30 days from 100% completion. KDHE will then request the inspections from the State Fire Marshal. The State Fire Marshal's office in turn will schedule the inspection(s) with the contractor and keep KDHE informed of the process. *(Any construction, including demolition, that is undertaken prior to project approval, shall be considered at the sole risk of the facility and project team)* If the project is being completed in phases be certain to communicate this to both KDHE and the KSFM so we can plan accordingly.

Once all Life Safety Code inspections are completed and approved by the State Fire Marshal and written approval for occupancy is received, occupancy may occur. For new facility's it is at this time KDHE will work with the provider to schedule a licensure survey.

If the facility is new and must be licensed through KDHE, it is at this time that all equipment is moved in, staff are available for on-site interviews and policies have been provided to KDHE that a licensing inspection will occur. This process needs to be coordinated very closely with KDHE toward the end of the construction process to ensure timely scheduling of this inspection. KDHE needs to have about a 30-day notice to schedule.

For Licensure and CMS Certification Questions Contact:

Lois Wilkins (KDHE/BCHS) @ Lois.Wilkins@ks.gov

If you have questions or concerns, please EMAIL me.

Respectfully,

Brian Love

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Bureau of Community Health Systems

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