

102-5-13. Licensee consult with physician when determining symptoms of mental disorders.

(a) "Consult," as used in K.S.A. 65-6404 and amendments thereto, shall be defined as contact made by the licensee with the appropriate medical professional for the purpose of promoting a collaborative approach to the client's care and informing the medical professional of the client's symptoms. This contact shall not be intended to accomplish confirmation of diagnosis. The timing of any such action by the licensee shall be managed in a way that enhances the progress of assessment, diagnosis, and treatment. This consult may or may not be completed in the initial session of service delivery.

(b) A consult with a client's physician or psychiatrist may occur through face-to-face contact, telephonic contact, or correspondence by the licensee with the physician, the physician's assistant, or designated nursing staff. When initiating this contact, the licensee shall not be responsible for the medical professional's response or for the client's compliance with any related intervention made by the medical professional.

(c) If a licensee is practicing in a setting or contact arrangement that involves a person licensed to practice medicine and surgery for review of mental health treatment, a physician consult may be completed through medical involvement completed in accordance with the established procedure of the setting or with the contact arrangement.

(d) A physician consult shall not be required beyond the procedures for medical involvement as established by the qualifying agency if a licensee is practicing in any of the following:

- (1) A licensed community mental health center or its affiliate;
- (2) an agency of the state that provides mental health, rehabilitative, or correctional services; or
- (3) an agency licensed by the state for providing mental health, rehabilitative, or correctional services.

(e) If a licensee is offering services that do not include diagnosis and treatment of a mental disorder, a physician consult shall not be required.

(Authorized by K.S.A. 1999 Supp. 74-7507; implementing K.S.A. 1999 Supp. 65-6404, as amended by L. 1999, Ch. 117, Sec. 20; effective Aug. 4, 2000.)