

## Rule 913

### PROGRAM APPROVAL AND RENEWAL

- (a) **Application for Approval.** An organization or entity seeking approval as a program under the Dispute Resolution Act must submit an application to the director. The application must include:
  - (1) documentation of the information required under K.S.A. 5-507(a), unless the applicant is connected with a court;
  - (2) identification of the dispute resolution services, approved training courses, or CDRE that will be provided by the applicant;
  - (3) documentation of one of the following:
    - (A) the applicant's sliding scale system for assessing fees under K.S.A. 5-508 if the applicant will be providing dispute resolution services;
    - (B) a verified statement that the applicant's courses will meet the requirements of Rule 914 if the applicant will be providing approved training courses; or
    - (C) a verified statement that the applicant's CDRE presentations will meet the requirements of Rule 916 if the applicant will be providing CDRE;
  - (4) the application fee in an amount determined by the Supreme Court;
  - (5) a verified statement that the applicant agrees to comply with these rules; and
  - (6) any other information the director deems necessary.
- (b) **Waiver of Requirements.** If an applicant program does not meet a requirement listed in subsection (a), the applicant may submit a written request that the director waive the requirement. On receipt of the written request, the director must:
  - (1) grant the written request and waive the requirement;
  - (2) request more information from the applicant; or
  - (3) deny the written request.
- (c) **Application Review Process.**
  - (1) **Director's Decision.**
    - (A) On receipt of the application for approval, the director must review the application within the time period provided in K.S.A. 5-507(b).
    - (B) At the completion of the review, the director will either approve the application and issue a certificate of approval or deny the application.
    - (C) Before the approval or denial of an application, the director may require the applicant program to submit more information.

- (2) **Written Request for Reconsideration.** If the director has denied an application, the applicant may submit to the director a written request for reconsideration. The director will present the request to the Council for review and decision.
- (d) **Renewal of Approval.** An approved program must annually apply for approval renewal. The application and fee must be postmarked by January 30. Failure to submit the renewal application and fee under this subsection may result in nonrenewal of approval status.
  - (1) **Renewal Application.** The application for renewal must include:
    - (A) an annual report that:
      - (i) complies with K.S.A. 5-507(c);
      - (ii) summarizes the dispute resolution services or approved training courses that have been provided by the applicant in the prior year; and
      - (iii) identifies the number, types, dates, agenda, and approved education hours or CDRE credit provided for courses approved in the prior year;
    - (B) if the applicant provides approved training courses or CDRE, a verified statement by the applicant that its courses will meet the requirements under Rules 914 and 916;
    - (C) a verified statement that the applicant agrees to comply with these rules;
    - (D) a renewal application fee in an amount determined by the Supreme Court; and
    - (E) any other information the director requests.
  - (2) **Waiver of Requirements.** If an applicant does not meet a requirement listed in paragraph (1), the applicant may submit a written request that the director waive the requirement. On receipt of the written request, the director must:
    - (A) grant the written request and waive the requirement;
    - (B) request more information from the applicant program; or
    - (C) deny the written request.
  - (3) **Application Review Process.** The renewal of approval will be reviewed in the same manner as an application for approval under subsection (a).
- (e) **Nonrenewal.** A program that does not meet the renewal requirements of subsection (d) must apply for approval under subsection (a).
- (f) **Confidentiality of Records.** Except as provided in Rule 920, any record obtained or provided during the approval or renewal process is confidential and not subject to disclosure under the Kansas Open Records Act, K.S.A. 45-215 et seq.

(g) **List of Approved Programs.** The director must keep a public listing of approved programs that includes information for each approved program, such as types of services, fees, and region of service. An approved program may opt out of the public listing.

**[History:** New rule adopted effective January 1, 2020.]