



House Children and Seniors  
February 25, 2014

Testimony Neutral for  
HB 2718

Presented by:

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**February 25, 2014**

**Testimony of:**

Trisha Thomas, Director of Child Support Services  
Department for Children and Families  
Topeka, Kansas

**Presented to:**

The Honorable Chairman O'Brien and Honorable Members of the  
House Committee on Children and Seniors

**DCF testimony on HB 2718 – Relating to parentage; establishing a putative father registry.**

**Chairman Connie O'Brien, Vice-Chair Kelly Meigs, Ranking Member John Wilson and Committee Members:**

Good morning, Ms. Chairman and members of the committee. I am Trisha Thomas, Director of Child Support Services (CSS) at the Department for Children and Families (DCF). I appreciate the opportunity to testify today regarding House Bill 2718.

CSS administers the State's child support services program under the authority of Title IV-D of the Social Security Act. CSS is charged with establishing and enforcing support on more than 137,000 cases affecting Kansas' children; CSS' primary purpose is to ensure those children have adequate means of support. CSS is measured by the federal government in five key areas: 1) paternity establishment percentage; 2) percentage of cases with support orders; 3) collection of current support; 4) collection of support arrears; and 5) cost effectiveness ratio. The changes sought really authorize CSS to take no additional action than already exists.

This Bill would require the Department for Children and Families to create and maintain a putative father registry. However, CSS currently has a manual putative father registry operated under the authority of KSA 23-36,201(g).

The bill would allow a man who has engaged in sexual relations with a woman ~~sex~~ to file as a putative father in this Kansas Putative Father Registry. A potential father would be allowed to file in the registry regardless of an actual pregnancy. A registration timely filed either before or after birth would entitle the putative father to notices of parental termination hearings, in which the putative father would be allowed to demonstrate his relationship with the child. The mother may deny that the registrant is the father. The registration and revocation, caused by the mother's denial, would be admissible in paternity proceedings.

DCF would be required to establish registration forms and make them available to the public through the agency, clerks of district courts, and local health departments. Notices would need to be posted in a conspicuous place at the clerks of district courts, drivers examination stations, local health departments, and county clerks.

DCF would be required to maintain the information registered by the putative father, the date of registration, and the name of any entity requesting a search of the child who is the subject of a termination proceeding. The information in the registry would be confidential. It would also need to be searchable and provide reports.

Requests for a search of the registry would be mandatory for all Kansas adoptions (except stepparents or immediate relatives of the child). Searches would be limited to the following: DCF personnel, private adoption agencies when arranging an adoption, a prospective adoptive parent (or attorney) who has a notarized consent from the birth mother, any mother who is the subject of a registration. The failure of a private adoption agency to perform a search of the registry or falsely report information to the court would be a class B misdemeanor.

DCF would have five days from receipt to produce an affidavit. When DCF finds that one or more putative fathers are registered, it would be required to file a copy of each registration form with the court. The court may not issue an order terminating rights unless the affidavit is filed.

Persons who register false information or requests confidential information in violation of this act shall be guilty of an unclassified misdemeanor and may be held civilly liable for damages.

Finally, the bill would require the Department of Health and Environment to update regulations concerning child placement agencies every five years.

The putative fathers' registry would not qualify as an allowable federal Title IV-D Child Support Enforcement expenditure; therefore all DCF expenditures would be from the State General Fund (see fiscal note for impact).

Thank you for the opportunity to testify regarding this bill today. I will be glad to stand for any questions you may have.