



Senate Judiciary Committee

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Neutral Testimony

SB 166

Written Testimony by:

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Testimony of:

Sandra Kimmons, Assistant Director of Economic and Employment Services
Kansas Department for Children and Families

Testimony on:

SB 166

Chairman Wilborn, Vice Chair Rucker, Ranking Member Miller and Members of the Committee:

Thank you for the opportunity to provide written neutral testimony regarding SB 166.

The Kansas Department for Children and Families (DCF) administers the Temporary Assistance for Needy Families (TANF) cash assistance program. The TANF program is a result of the 1996 Welfare to Work legislation authorized by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. The agency had a Grandparents as Caregivers program which began January 1, 2007 and ran through June 30, 2009. Effective July 1, 2009 the state-funded Grandparents as Caregivers program was rolled into the federally funded TANF Program.

SB 166 amends the Grandparents as Caregivers Act by lowering the eligible age, for grandparents and other relative caregivers, from 50 to 40 years of age and raises the household eligibility to 300 percent of the federal poverty level. It also provides for free parenting classes to all eligible households. The bill adds a new section deeming children cared for under this act to be certified as foster children for purposes of being eligible for free and reduced school lunches.

The bill's intention is to expand services to low-income grandparents and relatives caring for children by lowering the caregiver's age from 50 to 40. However, children in these homes are currently eligible for assistance under the TANF program. Because the TANF program has no age restriction for relative caregivers, it is assumed the families in the intended expansion are currently receiving TANF benefits. In addition, when determining eligibility for TANF for these children, only the child's income and resources are considered.

The free and reduced lunch program is administered through the Kansas State Department of Education (KSDE). Information provided by KSDE indicates children in households who participate in the Temporary Assistance for Needy Families (TANF) program are eligible for the free and reduced lunch program.

In Kansas, a child referred to as a "foster child" in the bill would be a child who has been adjudicated as a "child in need of care" pursuant to the Kansas Code for Care of Children (Code). The Code has specific grounds as a basis for determining a child is a child in need of care and the decision is rendered by the appropriate juvenile court. Additionally, federal regulations (7CFR Part 245.2) define a foster child as "a child who is formally placed by a court or an agency that administers a State plan under part B or

E of title IV of the Social Security Act (42 U.S.C. 621 et seq.). It does not include a child in an informal arrangement that may exist outside of State or court based systems.” Thus, to term a child a “foster child” in absence of compliance with the child in need of care legal process for one specific purpose such as is outlined in the bill may lead to confusion and noncompliance with the Code.

Thank you for the opportunity to address this important issue.