



House Federal and State Affairs Committee

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HB 2392

Presented by:

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Testimony of:

Kathy L. Armstrong
Kansas Department for Children and Families

Testimony on:

HB 2392

Chair Barker, Vice Chair Awerkamp, Ranking Member Ruiz and Members of the Committee:

I am Kathy Armstrong, Assistant General Counsel with The Department for Children and Families, Prevention & Protection Services. Thank you for this opportunity to present testimony in support of HB 2392.

K.S.A. 38-2223 sets out persons who are mandated to promptly report if such persons have reason to suspect that a child has been harmed as a result of physical, mental or emotional abuse or neglect or sexual abuse. HB 2392 amends K.S.A. 38-2223 by adding as a mandated reporter *“any adult who resides in the same home as the child.”* The term “reside” is defined in the provision and means *“to stay, sleep or maintain with regularly or temporarily one’s person and property in the home for three or more consecutive days or parts of days, or for 10 or more nonconsecutive days in a period of 30 consecutive days”*. There is an exception to the requirement for such persons to report in the bill if there *“are reasonable grounds to believe that such adult, or any child of such adult, has been the victim of abuse by the same individual who would be named in such report as the suspected abuser.”*

The bill also amends K.S.A. 38-2226 by adding a paragraph (h) which requires as part of any investigation conducted pursuant to this statute, *“the secretary or the law enforcement agency that is conducting the investigation shall make a visual inspection of the child who is the alleged victim of abuse or neglect”*. In the case of a joint investigation with secretary and law enforcement, the proposed amendment requires both to make such a visual inspection of the child. “Visual inspection” is not specifically defined in the proposed amendment.

Any person may report suspected abuse or neglect of a child per K.S.A. 38-2226, but this adds as a new category those who are mandated to report and encompasses those adults who are living in the same home with a child who may be experiencing abuse or neglect. In the event this amendment is passed, there will need to be concerted efforts made to ensure the public is informed of this statutory requirement. Current law provides that the willful and knowing failure to report or intentionally preventing or interfering with the making of a report as required, or willfully and knowingly make a false report is a class B misdemeanor.

DCF continues its commitment to ensuring the safety and well-being of the children of Kansas. I thank you for the opportunity to testify on HB 2392 which DCF supports. I am glad to stand for questions.