

STATE OF KANSAS

DEPARTMENT FOR CHILDREN AND FAMILIES
FOSTER CARE AND RESIDENTIAL LICENSING DIVISION
555 S. KANSAS AVE., 2ND FLOOR
TOPEKA, KS 66603



FAX: (785) 296-5937
DCF.FCL@KS.GOV
www.dcf.ks.gov

GOVERNOR JEFF COLYER, M.D.
GINA MEIER-HUMMEL, SECRETARY

If you have decided you want to pursue operation of a DCF-licensed group boarding home or residential center for children under age 16, please take note of the information and steps to becoming licensed below. Facilities providing services to children age 16 and older only do not require a license.

Beginning the Process:

You must first determine if you want to provide group/residential services to children in the custody of the Secretary of DCF or if you want to provide services to children privately placed by their parents or guardians. If you want to provide services to DCF-custody children, you must also obtain a Provider Agreement. (Please go to <http://www.dcf.ks.gov/services/PPS/Documents/Provider%20Agreement/ProviderAgreementServices.pdf> for more information on Provider Agreements.)

Regulations:

The Kansas Laws and Regulations for Licensing Residential Centers and Group Boarding Homes for Children and Youth can be found here:

http://www.dcf.ks.gov/Agency/GC/FCRFL/Documents/FC_Residential_Center_Group_Boarding/15ResidentialandGroupBoardingHomesAllSections.pdf You will need to be familiar with and in compliance with all applicable statutes and regulations before a license can be issued.

Application:

The application for a license can be found here:

http://www.dcf.ks.gov/Agency/GC/FCRFL/Documents/FCL_forms/FCL_051_ApplicationToConductResidentialFacility.pdf If the facility you plan to open has a capacity of 5-10 children, it will be licensed as a Group Boarding Home. If your facility has a capacity of 11 or more children, it will be licensed as a Residential Center. The application asks for information on the name and address of the facility, the name and address of the legal owners, the population you plan to serve, physical characteristics of the facility, and statements you must agree to before signing the application.

Page 3 of the application has a listing of all the documents that must be submitted to Licensing for approval along with the application. See notes added in **red**.

SUBMIT THE FOLLOWING WITH YOUR APPLICATION:

1. Completed and signed application
2. Request for KBI/DCF Background Check (you must keep a copy on file) **At a minimum, you must be listed on this form when you submit the application materials. You may submit additional forms as you hire staff for your facility.**
3. State Fire Marshal Approval **This must be actual approval for the physical facility from the State Fire Marshal's Office, showing all corrections made, if any were required at the time of the inspection.**
4. Licensing Fee (Please see K.A.R. 28-4-92 for fee schedule): Attach check or money order for license fee **Please make out the check or money order to "DCF Foster Care and Residential Facility Licensing".**
5. Articles of Incorporation and Bylaws (if applicable) **Must be included if the legal owner(s) is/are a corporation.**
6. Detailed program description which includes the following
 - purpose of the facility; **This is a brief statement of what you hope to accomplish with children placed in your facility.**
 - administration plan for the program, including an organizational chart; **Please include all planned positions, showing lines of authority and supervision for each position.**
 - financing plan for the program; **This plan needs to show how your facility will remain solvent and able to meet financial obligations and provide for children prior to any payments for services being received.**
 - staffing for the program, including job descriptions; **Staffing should match the positions on the organizational chart. Please include detailed job descriptions for each position.**
 - policy and procedure manual, identifying corresponding regulations **This is different and more detailed than the "brief statement" mentioned above. See "Policies and Procedures" section below.**
7. Floor plan of each building/Plot plan for entire outdoor premises (see Section V – Physical Plant) **Please ensure that all rooms are marked as to purpose, and that the floor plan is legible and includes all room measurements.**
8. Directions to facility if rural location
9. Documentation the building meets zoning requirements of the community **If necessary, please include zoning letters from the city or county showing the property and building can be used for the purpose of a group/residential facility for minors.**
10. Approval of well water/sewage disposal system (if applicable)
11. Documentation that local school district received at least 90-day notice of intent to open **Please ensure that the notice to the local school district is current, meaning done within 90 days of submitting the application.**

Policies and Procedures for the Facility:

Policies and procedures must accompany your application for a license. The following gives examples of how policy can be written in order to correctly apply the regulations.

Example 1:

Regulation: K.A.R. 28-4-127. Emergencies.

(e) Reporting illnesses and injuries:

(1) (A) Residential facilities shall have on file at the facility written policies on reporting of illnesses and injuries of adults and children.

Policy:

If a child in placement becomes ill or is injured, (Facility Name) will notify the following by phone and in writing:

- Parent or legal guardian
- Placing agency
- DCF Licensing Division
- Any other parties deemed necessary

The written report will be completed by staff on duty at the time of illness or injury and will include the following:

- Child's name and DOB
- Date/time of illness or injury
- Circumstances which caused illness or injury, including location at the time, events going on at the time, staff/residents present, other pertinent data
- Staff actions following discovery of illness/injury
- Date/time notifications of illness/injury were sent and to whom
- Any medical follow-up needed
- Other details

Example 2:

Regulation: K.A.R. 28-4-273. Admission policies.

(a) Written admission policies shall be prepared by the applicant in accordance with goals and purposes of the facility. The policies shall include a nondiscrimination statement.

Policy:

Children ages 13 and older are admitted into this facility without regard to race, color, religion, national origin, disability or sex. Children are admitted into this facility for emergency shelter care not to exceed 30 days. Criteria for admission include:

- Child is stepping down from a stay at a psychiatric residential treatment facility and needs stabilization before foster home placement.
- Child does not display behaviors which are harmful to self or others.
- Child is at least age 13.
- Child is capable of understanding and working the program that prepares child for placement in a foster home.
- Child has not been able to be maintained in a foster home for any significant period of time in the recent past.

Example 3:

Regulation: K.A.R. 28-4-274. Services.

(c) Discipline.

(2) There shall be a written discipline policy outlining methods of guidance appropriate to the ages of the residents. Residents shall not be permitted to discipline other residents.

Policy:

It is the policy of this facility that only staff are to discipline residents, using proven and approved methods of discipline, including the following:

- Time out or room time
- Taking away of privileges or level
- Restitution (letters of apology, etc.)
- Extra chores

Prohibited punishment: The following forms of punishment are prohibited and will not be used:

- Isolation
- Hitting with the hand or any object
- Name-calling or belittling
- Withholding food, drink, sleep or restroom use
- Any type of restraint device
- Locking up in any confined space (closet, locked room, box, etc.)
- Punishment given by peers in placement

Staff will sign a statement acknowledging they are aware of prohibited punishment and will not use any of the methods above to discipline residents. (Copy of statement included with facility policies.)

Resident and Staff Handbooks:

Many facilities submit both a Resident and a Staff Handbook, which they have found to be useful for the children admitted into the facility and for the staff you employ. This is completely optional on your part, however, children in placement have found it to be much easier to follow the rules and expectations of your program if spelled out clearly in a handbook.

Submission, Approval and Licensing Process:

When your application packet is submitted to Licensing, the Deputy Director for the area of the state you are in will review all the materials for correctness and completeness. If revisions to your policies and procedures are needed or if documents are missing, you will be notified, in writing, within 30 days of Licensing receiving the packet. You will then have 30 days to submit the requested items back to the Deputy Director for review. Within 30 days, you will again be notified, in writing, if your application packet is complete and approved, or if additional items or changes are needed. This process is repeated as often as necessary until all materials are complete, in compliance, and approved by the Deputy Director.

- **Survey of the facility:** When all application materials are approved, the Deputy Director will request a Licensing Surveyor go to the facility and complete an inspection for environmental compliance.
- **Temporary permit:** If there are no environmental noncompliance issues, the Division will issue a temporary permit for the facility, valid for 90 days. Upon issuance of the temporary permit, the facility is allowed to admit children into placement.
- **Second survey of the facility:** As soon as a child or children are admitted for placement into your facility, please contact the Deputy Director, so that the Surveyor can go back out to the facility and check compliance for areas unable to be checked until children are in placement, including, but not limited to: child files, employee files, staff-to-child ratio, food service, medication administration and storage, service delivery, school enrollment, transportation.
- **License:** If the second survey has determined that all areas of the facility are in compliance, a full license for the facility will be issued. If there are areas still not in compliance, a second temporary permit may be issued.
- **Second temporary permit:** If there are areas still out of compliance at the expiration of the first 90-day temporary permit, a second 90-day temporary permit will be issued, and the Surveyor will make a final visit to the facility for an inspection to determine compliance. This will be completed before the expiration of this second temporary permit and when you notify the Deputy Director you are ready. If the final survey determines all areas are in compliance, the full license will be issued.
- **Application closure:** If a facility's second temporary permit has expired with the facility still being noncompliant, the application will be closed at that time and there will be no valid license or permit in place for the facility to continue operating.
- **Reapplying, new fee:** If a facility is not issued a license after a second temporary permit expires, you are still able to reapply at any time in the future by submitting a new application, all supporting documents and the licensing fee. No prior licensing fees will be refunded.