

Administrative Foster Care Licensing Policy and Procedure Manual

Kansas Department for Children and Families

Program Foster Care Licensing

Applies to: **Family Foster Homes**

Effective Date: April 1, 2021

## Policy and Procedure Emergency Afterhours Over Capacity Exceptions

### 1. Policy:

Foster Care Licensing has responsibility to ensure that licensed facilities maintain regulatory compliance in order to ensure the health, safety and welfare of children. The secretary may grant an exception to regulation relating to Emergency Placement over capacity if the secretary determines the exception to be in the best interest of a child. Foster Care Licensing shall provide for afterhours, weekend and holidays processing of Emergency Overcapacity exception requests for youth in DCF custody needing placed in a Family Foster Home.

### II. Procedure:

1. Definition of Over Capacity: Over capacity means exceeding the maximum number of children or age range authorized by the license.
2. Emergency is defined as something that happens suddenly or unexpectedly and needs immediate action to avoid harmful results. An Emergency Foster Placement is the placement of a child in foster care without the usual planning and/or thorough assessment process having taken place because of the need to ensure the safety and the welfare of the child immediately. The following is deemed to be an Emergency Placement:
  - a. when a child is abandoned;
  - b. returned from runaway status;
  - c. has suffered or is at risk of significant harm; or
  - d. where there is an exceptional and immediate need to end an existing placement due to significant risk of harm.
3. When an emergency placement requires a family foster home exceed capacity, and the DCF office is closed due to after 5 pm, weekends, or holidays the Child Placement Agency shall;
  - a. call the **Foster Care Licensing After Hours Number 785-368-8795** to advise an emergency overcapacity exception is needed.
  - b. The Child Placement Agency Worker shall immediately submit the written request for exception, FCL 408, and all supporting documents to [DCF.FCLEExceptions@ks.gov](mailto:DCF.FCLEExceptions@ks.gov).

- c. The subject line of the email shall include: Emergency Overcapacity Exception Needed and the date.
    - d. The exception shall include details of the incident which resulted in a need for emergency placement.
- 4. Upon receipt of the written exception and all supporting documents, DCF staff shall;
  - a. Review the exception;
  - b. Review compliance history of the facility;
  - c. Issue a reply to the requesting email stating whether the request is approved or denied; and
  - d. Send the return email response within 1 hour of the complete exception request being received.
- 5. No later than the next day, DCF Foster Care Licensing Staff Shall:
  - a. Enter the exception application in Claris; and
  - b. Issue the exception approval or denial and provide the written exception to the requesting Child Placement Agency via email.