

30-47-900. Definitions. For the purposes of this section, the following definitions shall apply:

(a) "Administrative program director" means the individual designated by the licensee to oversee all provisions of services of the child-placement agency for children and families.

(b) "Adopted adult" means an individual 18 years of age or older who was legally adopted by a family during the individual's childhood or after the individual was 18 years of age or older.

(c) "Adopted child" means a child who is not yet 18 years of age and was legally adopted by a family.

(d) "Adoptive family" means an individual or individuals who identify themselves as a family, live in a private home, and have been approved by a child-placement agency to receive one or more children for the purpose of legal adoption.

(e) "Adoption agency" means child-placement agency, as defined in K.S.A. 65-503 and amendments thereto.

(f) "Adoption search" means the activities of an adopted child or adopted adult, an adoptive family, or the birth family of an adopted child or adopted adult to obtain identifying or nonidentifying information about the adoption or to initiate contact between the adopted child or adopted adult and the birth family.

(g) "Advertise" means to communicate by newspaper, radio, television, handbills, placards, or other print, broadcast, telephone directory, or electronic medium.

(h) "Agency-approved family" means a person or persons who identify themselves as a family, live in a private home, and meet the following requirements:

APPROVED

JUN 09 2023

DEPT. OF ADMINISTRATION

APPROVED

'JUL 28 2023

ATTORNEY GENERAL

(1) Do not require a child care license as specified in K.S.A. 65-503, and amendments thereto; and

(2) have been assessed by a child-placement agency for placement of a child.

(i) "Applicant" means a person who has applied for a license but has not yet been granted a license to operate a child-placement agency. This term shall include an applicant who has been granted a temporary permit to operate a child-placement agency.

(j) "Case plan" means the comprehensive written plan of care developed for a child in placement.

(k) "Child in foster care" or "foster child" means either of the following:

(1) Any individual under 16 years of age who is placed for care in a family foster home; or

(2) any individual who is at least 16 years of age but not yet 21 years of age and who is in the custody of the state of Kansas or is privately placed in a family foster home.

(l) "Child-placement agency" means a business or service conducted, maintained, or operated by a person engaged in finding homes for children by placing or arranging for the placement of the children for adoption or foster care, as defined in K.S.A. 65-503 and amendments thereto.

(m) "Child-placing agent" means a person or agency that possesses the legal authority to place a child in an out-of-home placement or in an adoptive home. This term shall include the child's parent, legal guardian, child-placement agency, and the court.

APPROVED

JUN 09 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(n) "Child welfare supervisor" means a staff member who is designated by the licensee to provide supervision of those individuals who provide services or coordinate the services provided by other resources to children and families.

(o) "Child welfare worker" means a staff member who is designated by the licensee to provide services or coordinate the services provided by other resources to children and families.

(p) "Department" means Kansas department for children and families.

(q) "Exception" means an alternative manner of compliance with a specific child-placement agency regulation that is granted by the secretary to an applicant or a licensee.

(r) "Family foster home" means a type of child care facility as defined in K.A.R. 30-47-800.

(s) "Foster care for children" means the provision of substitute care for children who are alleged or adjudicated to be in need of care, as defined in K.S.A. 38-2202 and amendments thereto, as the result of neglect or abuse by or the inability or refusal of child's parent, guardian, or custodian to care for the children. The substitute care during placement shall include the provision of food, shelter, security and safety, guidance, and comfort on 24-hour basis to one or more children placed who are 21 years or younger to safeguard their safety, growth, and development.

(t) "Foster family" means all individuals living in a family foster home other than any children in foster care.

APPROVED

JUN 09 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(u) "Independent living services" means the counseling and services provided by the child-placement agency to a child in an out-of-home placement with a focus on preparing the child for eventual self-sufficiency.

(v) "Intercountry adoption" means the adoption of a child with legal residence in one country by a family with legal residence in a different country.

(w) "Legal-risk adoption" means placement of a child who is not yet legally free for adoption in a family foster home with a plan for adoption of the child by that family.

(x) "Legalization or finalization" means the legal process by which a final order or decree of adoption is filed with the applicable court for the adoption of a child.

(y) "License" means a document issued by the secretary granting authority to an association, organization, or corporation to operate and maintain a child-placement agency.

(z) "Licensee" means a person who has been granted a license to operate a private child-placement agency.

(aa) "Nonrelated kin" means an adult who is not related to a child or to a child's family by blood, marriage, or legal adoption, but is identified by the child or the child's family as an adult with whom the child or the child's parent already has close emotional ties and is a resource for an out-of-home placement for the child.

(bb) "Out-of-home placement" means the living arrangement for a child in a location away from the child's parent or guardian.

(cc) "Person" has the meaning specified in K.S.A. 65-503, and amendments thereto.

(dd) "Physical restraint" means the bodily holding of a child as a means to help the child

APPROVED

JUN 09 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

regain self-control when the child is behaving in a manner that presents a danger to self or others.

(ee) "Placement agreement" means the document signed by the child's child-placing agent to authorize an out-of-home placement or an adoptive placement.

(ff) "Premises" means the location, including each building and any adjoining grounds, of the child-placement agency.

(gg) "Regularly" means on a reoccurring basis of three or more occasions in a 12-month period.

(hh) "Relative" means a person related by blood, marriage, or adoption.

(ii) "Residential care" means a licensed facility providing 24-hour out-of-home care for children unrelated to the caregivers.

(jj) "Renewal date" means 12 months after a license has been issued.

(kk) "Secretary" means secretary of the department for children and families.

(ll) "Secretary's designee" means a staff member who has been designated by the secretary to perform specific regulatory tasks on behalf of the department.

(mm) "Social service staff" means a staff member who is designated by the licensee to provide services or coordinate the services provided by other resources to children and families under the direct supervision of a child welfare worker or child welfare supervisor.

(nn) "Sponsoring child-placement agency" means the public or private child-placement agency responsible for providing sponsorship services to a family providing out-of-home

APPROVED

JUN 09 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

placement services or to an adoptive family before legalization or finalization of the adoption of a child.

(oo) "Volunteer" means an individual 18 years of age or older who provides an unpaid service. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-503 and 65-508; effective P-_____.)

APPROVED

JUN 09 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-901. License requirements. Each applicant shall meet the following requirements to obtain a license and to maintain a license:

(a) If an individual, be at least 21 years of age at the time of application. If a corporation, the applicant shall be in good standing with the Kansas secretary of state;

(b) submit a complete application for a license on forms provided by the department, including requests for the background checks specified in K.A.R. 30-47-905;

(c) provide basic income and expense information to the department for review at the time of initial application and annual license renewal to ensure that the applicant can meet the program needs and provide documentation of financial information for review as deemed necessary. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-504 and 65-508; effective P-_____.)

APPROVED

JUN 09 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-902. Application procedures. (a) Each applicant seeking a license shall submit a complete application on forms provided by the department. The application shall be submitted at least 90 calendar days before the planned opening date of the child-placement agency and shall include the following:

(1) Location of the office, including city, state, street address, mailing address, and telephone number;

(2) a detailed description of the program and the services to be provided;

(3) a statement that the child-placement agency will not be used to provide overnight care for any child;

(4) the philosophical perspective or religious affiliation of the child-placement agency;

(5) a description of the geographic area to be served;

(6) a request for the background checks specified in K.A.R. 30-47-905;

(7) a site plan of the building and grounds, including a detailed floor plan of the premises to be licensed;

(8) the nonrefundable license fee specified in K.A.R. 30-47-100;

(9) written verification from the applicable local authorities that the premises are in compliance with all local codes and ordinances, including building and zoning requirements;

(10) written verification from the state fire marshal that the premises are in compliance with all applicable fire codes and regulations; and

APPROVED

AUG 01 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 14 2023

ATTORNEY GENERAL

(11) the written policies and procedures required in K.A.R. 30-47-906.

(b) A licensed child-placement agency may operate satellite offices without separate licenses for those offices. If the licensed child-placement agency opens a satellite office after initial licensure, the licensed agency shall submit an application to add a satellite office at least 30 calendar days before the opening of the new office. Each application for a satellite office shall include the following:

- (1) Location of the office, including city, state, street address, mailing address, and telephone number;
- (2) the geographic area to be served;
- (3) a site plan of the building and grounds, including a detailed floor plan of the premises to be licensed;
- (4) written verification from the applicable local authorities that the premises are in compliance with all local codes and ordinances, including building and zoning requirements; and
- (5) written verification from the state fire marshal that the premises are in compliance with all applicable fire codes and regulations.

(c) The granting of a license to any applicant may be refused by the secretary if the applicant is not in compliance with the requirements of the following:

- (1) K.S.A. 59-2123 and amendments thereto;
- (2) K.S.A. 65-501 through 65-516, and amendments thereto;
- (3) K.S.A. 65-523 through 65-529, and amendments thereto;
- (4) K.S.A. 65-531, and amendments thereto; and

APPROVED

AUG 01 2023

APPROVED

AUG 14 2023

(5) K.A.R. 30-47-900 through K.A.R. 30-47-922 governing child-placement agencies.

(Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective

P-_____.)

APPROVED

AUG 01 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 14 2023

ATTORNEY GENERAL

30-47-903. Validity of temporary permit or license; advertising; withdrawal of application or request to close. (a) Validity of temporary permit or license.

(1) Each temporary permit or license shall be valid only for the person or persons and the address specified on the temporary permit or license.

(2) Each current temporary permit or current license shall be posted in plain view at the child-placement agency.

(3) When an initial or an amended license becomes effective, all temporary permits or licenses previously granted to the applicant or licensee at the same address shall become void.

(b) Advertising. The advertising for each child-placement agency shall meet the requirements listed in K.S.A. 59-2123(a)(1) and amendments thereto.

(c) Withdrawal of application or request to close. Any applicant may withdraw the application for a license. Any licensee may, at any time, request to close a child-placement agency. If a child-placement agency is closed, each temporary permit or license granted to the child-placement agency shall become void. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 2022 Supp. 59-2123 and 65-508; effective P-_____.)

APPROVED

AUG 01 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 14 2023

ATTORNEY GENERAL

30-47-904. Temporary permit or license. (a) Temporary permit or a license required.

A person shall obtain a license to operate a child-placement agency before engaging in finding homes for children by placing or arranging for the placement of the children for foster care or adoption. Each applicant or licensee shall submit an application, the required verifications and documentations, and the license fee and shall obtain a temporary permit or a license from the secretary, under any of the following circumstances:

- (1) Before opening a new child-placement agency;
- (2) before a child-placement agency that has been closed is reopened;
- (3) upon a change in the location of the child-placement agency; or
- (4) upon a change of ownership of the child-placement agency.

(b) Amendments.

(1) Any licensee may submit a written request for an amendment. Each licensee who intends to change the terms of the license, including the addition or closure of a satellite office, shall submit a written request for an amendment on a form provided by the department and a nonrefundable amendment fee pursuant to K.S.A. 65-505, and amendments thereto. An amendment fee shall not be required if the request to change the terms of the license is made at the time of the renewal.

(2) The licensee shall make no change to the terms of the license and shall conduct no business at an office not listed on the license unless an amendment is granted, in writing, by the secretary. If an amendment is granted, the licensee shall post the amended license in plain view at the child-placement agency and the previous license shall no longer be in effect.

APPROVED

JUN 09 2023

DEPT. OF ADMINISTRATION



APPROVED

JUL 28 2023

ATTORNEY GENERAL

(c) Exceptions.

(1) Any applicant or licensee may request an exception to a specific nonsafety regulation. Each request shall be submitted to the secretary on a form supplied by the department. Any request for an exception may be granted if the secretary determines that the exception is in the best interest of the children or families served by the child-placement agency and the exception does not violate statutory requirements.

(2) Written notice from the secretary stating the nature of the exception and its duration shall be kept on file at the child-placement agency and shall be readily accessible to the department, the child-placing agent of any child receiving services from the child-placement agency, and the Kansas department of corrections.

(d) Required approvals. Each applicant or licensee shall obtain the secretary's written approval before making any changes in either of the following:

- (1) The type of services offered by the child-placement agency; and
- (2) the physical structure of the child-placement agency due to new construction or substantial remodeling that affects the use of the licensed space or the use of any part of the premises.

(e) Renewals. No earlier than 90 days before but no later than the renewal date, each licensee wanting to renew the license shall submit the following:

- (1) The nonrefundable license fee specified in K.A.R. 30-47-100;
- (2) an application to renew the license on the form provided by the department; and
- (3) a request to conduct the background checks specified in K.A.R. 30-47-905.

APPROVED

JUN 09 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(f) Late renewal fee. Failure to submit the renewal application and fee within 30 days after the renewal due date shall result in an assessment of a late renewal fee equal to the renewal fee, pursuant to K.S.A. 65-505 and amendments thereto. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-505 and 65-508; effective P-_____.)

APPROVED

JUN 09 2023

DEPT. OF ADMINISTRATION

30-47-905. Background checks. (a) With each initial application, documentation shall be submitted for each individual at least 18 years of age or older who will work or regularly volunteer to request a fingerprint-based background check from the national crime information center (NCIC) operated by the federal bureau of investigation (FBI) and other criminal justice users, a request to conduct a background check by the Kansas bureau of investigation (KBI), a check of the national sex offender registry, and a background check of the Kansas child abuse and neglect registry by the department in order to comply with K.S.A. 65-516, and amendments thereto. Each request shall be submitted to the department on a form provided by the department.

(b) For each individual 18 years of age or older who will work or regularly volunteer, the applicant or licensee shall submit a child abuse and neglect background check from each previous state of residence throughout the five-year period before the date of application; and

(c) Background checks shall be obtained following the procedures of the department.

(d) All fees associated with NCIC checks shall be submitted in accordance with department policy.

(e) Each licensee shall develop and implement policies and procedures for completing background checks for each out-of-home foster family placement. The policy shall include the requirements listed in K.A.R. 30-47-805.

(f) Each licensee shall develop and implement policies and procedures for completing background checks for each adoptive family. The policy shall include the required information for the following:

APPROVED

AUG 01 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 14 2023

ATTORNEY GENERAL

(1) For each individual 18 years of age or older residing in the home, a fingerprint-based background check from the NCIC, a request to the department to conduct a background check by the KBI and a child abuse and neglect registry background check by the department; and

(2) For each individual 18 years of age or older residing in the home, a child abuse and neglect background check from each previous state of residence throughout the five-year period before the date of application. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A.65-508 and K.S.A. 2022 Supp. 65-516; effective P-
_____.)

APPROVED

AUG 01 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 14 2023

ATTORNEY GENERAL

30-47-906. Administration. (a) Each licensee shall be responsible for the operation of the child-placement agency and shall meet the following requirement:

(1) Establish and maintain a written organizational plan, including an organizational chart, appoint an executive director to oversee the operation of the child-placement agency, and appoint qualified staff;

(2) provide staff, facilities, equipment, supplies, and services to children and families;

(3) adopt written administrative policies and procedures for the delivery of services and for the operation of the child-placement agency, including services to each foster family and adoptive family, client eligibility criteria, fee schedules for each program offered by the child-placement agency, and reimbursement rates for placement families;

(4) ensure that written personnel policies are developed and implemented that specify the necessary qualifications for each position and govern staff member selection, roles and responsibilities, and job duties;

(5) develop and implement written policies and procedures on the confidentiality of information, including confidentiality of child-placement agency records. Nothing in these policies and procedures shall prevent access to information about a child or a family by the child's child-placing agent, the sponsoring child-placement agency, law enforcement, the court, the Kansas department of children and families, or the Kansas department of corrections as allowed by applicable law;

APPROVED

JAN 03 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(6) develop and implement written policies and procedures to prevent a conflict of interest or undue influence for any staff member of a child-placement agency, any known relative of a staff member of a child-placement agency, and any governing body member of a child-placement agency, who wants to be or is sponsored by that child-placement agency as a placement resource for a child in need of an out-of-home placement;

(7) develop and implement policies and procedures for addressing grievances concerning the delivery of services;

(8) adopt written policies and procedures for quality assurance;

(9) adopt written policies and procedures for recordkeeping and retention of records;

(10) adopt written policies and procedures for transportation services; and

(11) develop and implement policies and procedures on acceptable behavior management and discipline of children by staff members and volunteers of the child-placement agency and families sponsored by the child-placement agency. These policies and procedures shall include the following:

(A) The use of positive methods for behavior management that are appropriate to the age and developmental levels of children and encourage cooperation, self-direction, and independence;

(B) methods of behavior management that are designed to help each child develop inner controls and manage each child's own behavior in a socially acceptable manner;

(C) prohibition of any punishment that is humiliating, frightening, or physically harmful to the child; and

APPROVED

JUN 1 2 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 2 8 2023

ATTORNEY GENERAL

(D) prohibition of corporal punishment.

(b) Each administrative program director shall oversee the daily operations and maintenance of the child-placement agency and implement the policies and procedures in compliance with licensing requirements.

(c) Each licensee shall have contracts or agreements with other agencies or service resources providers as needed for the provision of any services needed by children or families that are not provided by the licensee.

(d) Each licensee shall ensure that all child-placement agency contracts, agreements, policies, and procedures are reviewed annually and updated as needed.

(e) Each licensee shall ensure that the child-placement agency has a governing body, which shall exercise authority over and have responsibility for the operation, policies, and practices of the child-placement agency.

(f) The administrative program director of the child-placement agency shall prepare an annual report of the agency's activities. The report shall include fiscal and statistical sections indicating the levels of income and expenditures, the size and types of staff and the number of clients serviced by each service program.

(g) The administrative program director of the child-placement agency shall ensure financial solvency to carry out its program for the licensing period. Child-placement agencies which have not operated shall have capital necessary for at least a six-month period of operation. The agency shall prepare an annual budget and accounting of funds and shall be audited every three years by a certified public accountant.

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(h) Each licensee shall ensure that no child is forced to participate in publicity or promotional activities.

(i) Each licensee shall ensure that all staff members and volunteers are informed of and have access to all written policies and procedures and the regulations governing the licensing of child-placement agencies in order to carry out their job duties.

(j) Each licensee shall ensure that all families who are sponsored by the child-placement agency are informed of and comply with all applicable policies and procedures of the child-placement agency. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-907. Staff qualifications; staff levels; staff training; volunteers. (a) Each licensee shall employ qualified staff.

(1) Each individual working or volunteering in a child-placement agency shall be physically, mentally and emotionally capable of performing assigned duties necessary to maintain the health, comfort, safety and well-being of the children and families receiving services from the child-placement agency.

(2) Each licensee and each staff member shall demonstrate the following:

(A) An understanding of the child-placement agency's philosophies, purpose, services, and goals; and

(B) the necessary skills and abilities to carry out the individual's job duties in accordance with Kansas statutes and regulations governing child-placement agencies, foster care, and adoption.

(b) Each licensee shall employ an administrative program director who meets the following minimum qualifications:

(1) A master's degree in social work, counseling, social work administration, or a related human service degree from an accredited school and three years' experience in the management or supervision of child placing or residential care personnel and programs;

(2) a bachelor's degree in social work or a human service area of study from an accredited school and five years' experience in the management or supervision of child placing or residential care personnel and programs; or

(3) a bachelor's degree from an accredited school and two years' experience in child

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

placing or residential care services if the administrator is responsible only for administrative functions such as personnel and fiscal matters and is not responsible for direct supervision of the programs and services of the agency.

(c) Each child welfare supervisor shall meet the following minimum qualifications:

(1) Hold a current license from the Kansas behavioral sciences regulatory board in one of the following professional categories:

- (A) Psychologist;
- (B) social worker;
- (C) professional counselor; or
- (D) marriage and family therapist; and

(2) have the following education and experience:

(A) A bachelor's degree from an accredited college or university and two years of experience in child-placing services; or

(B) a master's degree from an accredited college or university and one year of experience in child-placing services.

(d) Each licensee shall employ child welfare workers to perform intake, provide direct services to children and families, select and authorize out-of-home and adoptive placements, and perform child assessments and family assessments related to foster and adoptive services. Each child welfare worker shall meet the following minimum qualifications:

(1) Hold a current license from the Kansas behavioral sciences regulatory board in one of the following professional categories:

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

- (A) Psychologist;
- (B) social worker;
- (C) professional counselor; or
- (D) marriage and family therapist; and
- (2) have a bachelor's degree from an accredited college or university.

(e) Any licensee may employ social service staff to conduct licensing health and safety inspections of family foster homes under the direction of a child welfare supervisor or a child welfare worker. The social service staff may assist child welfare workers in specific tasks involved in the licensing of family foster homes and the provision of supportive services to the family. The social service staff may assist in specific tasks involved in the delivery of services to children and families. Each social service staff shall meet the following minimum qualifications:

- (1) Have a high school diploma or general education degree; and
- (2) have two years of experience in working with families or children and have additional training, education, or professional development in the area of child development, education, or health.

(f) Each staff member performing the duties of more than one position shall meet the minimum qualifications for each position held.

(g) Each licensee shall ensure that the following staffing levels are met and that requirements are stated in child-placing agency policy:

APPROVED

JUN 1 2 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 2 8 2023

ATTORNEY GENERAL

(1) The maximum number of staff members to be supervised by each social service supervisor to allow for effective staff training, support, and oversight and to ensure the delivery of program services to children and families.

(2) The maximum caseload number that each child welfare worker shall carry to allow for all the necessary contacts and effective services with the children, families, foster families, adoptive families, and collateral contacts.

(h) Each licensee shall develop and provide orientation and training for all new staff members according to individual job duties and responsibilities to implement the policies and procedures of the child-placement agency.

(i) Each licensee shall provide an annual in-service training program to maintain staff members knowledge and skills necessary to ensure compliance with the child-placement agency's policies and procedures.

(j) If the child-placement agency utilizes volunteers, the licensee shall develop a written plan for their orientation, training, supervision, and use. Volunteers shall not be substituted for qualified or licensed staff. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-908. Case records. (a) Agency records. The child-placement agency shall maintain case records in a manner that is uniform, detailed, well written, and organized. Records shall be current and be made available for inspection by the department licensing division. The child-placement agency shall provide statistical data to the division when requested for public information, research, or planning purposes. The child-placement agency shall include in their case records the following:

(1) A copy of the current Kansas administrative regulations governing private child-placement agencies and family foster homes, which shall be kept on the premises and shall be available to all staff members;

(2) policies and procedures of the child-placement agencies, which shall be kept on the premises and shall be available to all staff members;

(3) the organizational chart for the child-placement agency;

(4) all quality assurance findings of the child-placement agency's internal program, which shall be available at the child-placement agency for review by the department;

(5) the child-placement agency's annual budget and accounting of funds audit as required by K.A.R. 30-47-906(g);

(6) the annual report of the child-placement agency's services and activities;

(7) all grievance reports and resolutions;

(8) documentation of current casualty and liability insurance;

(9) maintenance records for all facility-owned vehicles;

(10) personnel records that contain the following, for each employee:

(A) Date of hire;

APPROVED

AUG 01 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 14 2023

ATTORNEY GENERAL

- (B) application or resume;
 - (C) job description;
 - (D) driver's license;
 - (E) background check form as required by K.A.R. 30-47-905;
 - (F) behavioral sciences regulatory board license, if applicable;
 - (G) college diploma or transcript;
 - (H) references;
 - (I) annual performance evaluation;
 - (J) TB test results, as required; and
 - (K) signed statements for confidentiality and discipline policies.
- (11) volunteer records that contain the following, for each volunteer:
- (A) Date the individual started volunteering;
 - (B) application or resume;
 - (C) volunteer description;
 - (D) driver's license if transporting children;
 - (E) background check form as required by K.A.R. 30-47-905;
 - (F) references;
 - (G) dates of service;
 - (H) signed statements for confidentiality and discipline policies; and
 - (I) TB test results as required.

APPROVED

AUG 01 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 14 2023

ATTORNEY GENERAL

(b) Foster home records. Each child-placement agency that sponsors family foster homes shall keep separate records for each foster home, which shall be created at the time of application and shall contain the following:

- (1) The application;
- (2) references;
- (3) background check form for each resident of the home as required by K.A.R. 30-47-805;
- (4) the following medical records for each resident of the family foster home:
 - (A) Health assessment
 - (B) immunizations or religious exemption for immunizations for all residents as applicable; and
 - (C) TB test results for each resident over age 16.
- (5) family assessments as required by K.A.R 30-47-916;
- (6) documentation of the child-placement agency contact with the family as required K.A.R. 30-47-914;
- (7) annual relicensing application and required documents; and
- (8) placement history of the foster home, including the names of children placed, dates admitted and discharged.

(c) Adoptive home records. Each child-placement agency that provides adoption services shall keep separate records for each prospective and actual adoptive family. The adoptive home record shall contain the following:

APPROVED

AUG 01 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 14 2023

ATTORNEY GENERAL

- (1) The application;
- (2) references;
- (3) background check form for each resident of the home as required by K.A.R. 30-47-905;
- (4) medical records for each resident of the adoptive home, which shall include the following:
 - (A) Health assessment;
 - (B) immunizations or religious exemption for immunizations for all residents as applicable; and
 - (C) TB test results for each resident over age 16.
- (5) family assessments as required by K.A.R. 30-47-916;
- (6) documentation of the child placement agency contact with the family as required by K.A.R. 30-47-914;
- (7) a copy of the information given to the parents concerning the child;
- (8) all legal documents pertaining to the adoption;
- (9) summary narrative on the preplacement and postplacement contacts with the family and the adopted child;
- (10) a narrative that clearly indicates each reason a family was not accepted or did not have a child placed; and
- (11) aftercare plans for follow-up services to the child and to the adoptive family.

APPROVED

AUG 01 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 14 2023

ATTORNEY GENERAL

(d) Child records. Each agency that has placed a child in a family foster home or adoptive home shall maintain individual child records, which shall include the following:

(1) Child information:

(A) name;

(B) date of birth;

(C) gender;

(D) race; and

(E) place of birth.

(2) parent information:

(A) Name of mother;

(B) address of mother;

(C) telephone number of mother;

(D) marital status of mother;

(E) name of father;

(F) address of father;

(G) telephone number of father;

(H) marital status of father.

(3) legal documents;

(4) medical history, cumulative health record, and psychological and psychiatric reports;

(5) the circumstances precipitating the decision to place a child, the child-placement

APPROVED

AUG 01 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 14 2023

ATTORNEY GENERAL

agency's involvement with the parents including services offered, delivered, or rejected, and all assessments, evaluations, and court reports;

(6) educational records and reports;

(7) copy of all case plans or person-centered support plans;

(8) summary and narrative regarding the child's contacts with the child-placement agency, biological or adoptive family;

(9) copy of interstate compact forms, if applicable;

(10) upon discharge, the following, which shall be placed in the child's case record:

(A) Date of discharge;

(B) reason for discharge; and

(C) person discharged to, including the following:

(i) name;

(ii) relationship to child;

(iii) address; and

(iv) telephone number.

(11) a discharge summary containing services provided during care, achievement of goals, strengths and continued needs; and

(12) aftercare plans. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

AUG 01 2023

APPROVED

AUG 14 2023

DEPT. OF ADMINISTRATION

ATTORNEY GENERAL

30-47-909. Reporting requirements. (a) Statistical reporting. Each licensee shall prepare the following reports:

(1) An annual report of the child-placement agency's activities, including fiscal and statistical sections indicating the levels of income and expenditures, the staffing level, and the number of children and families served by each service program of the child-placement agency; and

(2) when requested by the department, statistical data for public information, research, or planning purposes.

(b) Critical incidents.

(1) Each licensee shall report each of the following critical incidents to the department and to the child's child-placing agent within 24 hours of discovery:

(A) Any damage to the child-placement agency building or damage to the property that affects the structure of the building or the safety of children and families receiving services from the child placement agency;

(B) any damage to a licensed family foster home or home sponsored or approved by the child-placement agency that affects the structure of the home or the safety of a child receiving services from the child-placement agency;

(C) the death of any child receiving services from the child-placement agency;

(D) any injury to a child that is potentially life-threatening or has the potential for a long-term disability; and

(E) the death of any resident of the licensed family foster home or child-placement agency-approved family foster home.

APPROVED

JUN 1 2 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 2 8 2023

ATTORNEY GENERAL

(2) Each licensee shall submit a written critical incident report specified in paragraph (b)(1) to the department and the child's child-placing agent within 24 hours of discovery. This report shall contain the following information:

- (A) Name of licensed family foster home;
- (B) child's name and birth date;
- (C) date and time of the incident;
- (D) factual summary of the incident, including the name of each individual involved;
- (E) factual summary of the immediate action taken, including the name of each individual involved;
- (F) signature of the licensee; and
- (G) date of the report.

(c) Abuse or neglect. Each licensee shall report any suspected neglect, physical, mental, or emotional abuse, or sexual abuse of a child within 24 hours of discovery, by telephone or in writing, to the secretary of the Kansas department of children and families and when the department is not open for business, reports shall be made to the appropriate law enforcement agency.

(d) Infectious and contagious disease. If a licensee or a staff member contracts a reportable infectious or contagious disease specified in K.A.R. 28-1-2, the licensee shall report the disease to the county health department by the next business day. The licensee shall follow the protocol recommended by the county health department and shall cooperate fully with any investigation, disease control, or surveillance procedures initiated by the county health

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-909 (3)

department. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-910. Services for children in out-of-home placement. Each licensee that sponsors family foster homes shall ensure that the child-placement agency policies and procedures meet the requirements of this regulation. The policies and procedures shall ensure that the services provided are designed to meet each child's needs for health, safety, well-being, and permanency.

(a) Case management services to the child. Each licensee shall ensure that the following services are provided to each child receiving services from the child-placement agency:

- (1) Provisions for emergency placement of the child;
- (2) provisions for alternative care for the child placed in a family foster home;
- (3) oversight to ensure that the services in the case plan are provided to the child and the child's family;
- (4) monitoring of the services and the placement of the child to ensure the child's health, safety, and well-being;
- (5) ongoing assessment of services based on the changing needs of the child;
- (6) implementation of the contacts and visits with the family specified in the child's case plan;
- (7) implementation of the contact and visits with child-placement agency staff members specified in subsection (d);
- (8) provision of any services needed to meet the child's specialized needs identified in the case plan or person-centered service plan, through direct services or through referral to other agencies or resources;

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(9) assurance that each child has, as identified in the child's case plan, access to the courts, contact with parents, the child welfare worker, other professionals and advocates, including contacts by telephone, visits, written correspondence, and electronic correspondence;

(10) assurance that the educational needs of each child are met through the following:

(A) Facilitation of the child's timely enrollment and school attendance in a local school district or, when appropriate, the child's district of residence and facilitation of the child's regular attendance at school or at any place of instruction in accordance with the child's individual education plan; and

(B) providing the placement with the school contact information; and

(11) provision for consultation and assistance to any child if any issues arise that cannot be resolved between the child and the parent or caregiver in order to enhance the communication between the child and the foster family and to resolve issues between them.

(b) Intake and placement activities. Each licensee shall ensure that the child-placement agency policies and procedures meet the requirements of this regulation.

(1) Upon accepting a child for services, each licensee shall take the following actions:

(A) Obtain legal authority for placement and medical consents;

(B) designate a child welfare worker to select and authorize the selection of an initial placement for the child;

(C) identify placement resources for the child, including relatives/family members and

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

nonrelated kin individuals; and

(D) designate a child welfare worker to be responsible for the development and implementation of the case plans for the child.

(c) Placement preparation and agreements. Each licensee shall ensure that written placement, preparation, and agreement policies and procedures are developed for each out-of-home placement. Each licensee shall ensure that each placement of a child complies with all federal and state statutes, regulations, and agreements governing placement of children in out-of-home placements.

(d) Initial and ongoing assessment.

(1) Each licensee shall ensure that an assessment is initiated for each child within 24 hours of acceptance for services and completed not later than 30 days from the date of acceptance. The assessment shall be as detailed as possible and, based on availability, shall include the child, the birth family, and other involved child-placement agencies.

(2) Each licensee shall ensure that each assessment is updated with any new information annually or as the needs of the child change.

(3) The initial assessment and each ongoing assessment shall be completed by a child welfare worker.

(4) Each assessment shall include the following information, as applicable:

(A) Identifying information, including the child's name, birth date, gender, and social security number;

(B) the child's tribal affiliation, cultural background, ethnic background, and spiritual or

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

religious background;

(C) all behaviors that would impact the selection of an out-of-home placement or an adoptive placement;

(D) based on the child's level of understanding, the child's participation in the assessment, including the following:

(i) The child's understanding of the reason for an out-of-home placement or adoption;

(ii) likes, dislikes, interests, and concerns;

(iii) involvement in sports and school activities;

(iv) participation in spiritual or religious activities; and

(v) the type of family or placement preferred, including location;

(E) the need for the child to remain in the child's current school system;

(F) the need for the child to remain in the child's home community or to be placed in a contiguous community;

(G) the need for continuity of relationships, school, and service providers, based on the case plan;

(H) the specific reasons for removal from the birth family home, for the new out-of-home placement, or adoptive placement;

(I) the names and contact information for birth parents, other birth family members, or the child's guardian;

(J) the birth family structure, including birth order of the child, identifying information on any siblings, and location of any siblings;

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(K) the birth family's social history, including strengths and needs;

(L) the role the birth family members are to have during placement of the child, including visitation and other contacts with the child and consideration of the physical distance between the birth family's residence and the location of the child;

(M) court involvement and the child's legal status;

(N) the child's current and previous out-of-home placements and adoptive placements;

(O) the child's medical and dental information, including immunizations, allergies, special dietary requirements, special needs, current medications, contact information for previous and current medical or dental care providers, and the need for continuity of providers in the new placement;

(P) the child's mental health information, including need for mental health services, contact information for previous and current mental health services used by the child or the birth family, and the need for continuity of mental health services providers in the new placement;

(Q) the child's school information, including the individual education plan, if applicable, the child's grade, schools attended, adjustment and achievements in school; and

(R) if the child is entering Kansas from another state or another country for placement, all available information obtained from the agency or entity that previously provided services to the child.

(e) Selection of placement. (1) Each licensee shall develop and implement policies and procedures for selecting out-of-home or adoptive placements for children.

(2) Each licensee shall select the most appropriate placement for each child consistent

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

with the identified needs of the child and the ability of the out-of-home placement or adoptive placement to meet the child's needs. The following factors shall be considered when selecting each placement for each child:

(A) The strengths and needs of the child, based on the initial assessment and the ongoing assessments of the child;

(B) the case plan goals of the child;

(C) if placement with a family, the composition and strengths of the family, the assessment of the family, and the current recommendation for placement; and

(D) if placement in a residential care facility, the admission criteria and the services provided.

(3) No child shall be placed in a licensed or child-placement agency-approved family foster home if the placement would cause the terms of the license or the approval to be exceeded. Exceptions to exceed the licensed capacity shall be submitted to the department for approval before placement.

(4) Each child who has committed an unlawful sexual act shall be placed in a family home setting after the child's child-placing agent, the sponsoring child-placement agency, and the prospective placement caregiver conduct an assessment to determine the level of supervision required, the ability of the placement caregiver to provide the supervision needed, and the potential sleeping arrangements.

(f) Contact with the child. Each licensee shall ensure that the written policies and procedures of the child-placement agency include requirements for the frequency and location of

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

contact with the child by the assigned child welfare-worker or designee. The policies and procedures shall include the following:

(1) After a child is placed in an out-of-home placement, contact shall occur at least one time each month. Each contact shall be in person at the child's placement.

(2) During each monthly in-person contact with the child, the child welfare worker or designee shall assess the health, safety, and well-being of the child and determine progress toward the case plan goals.

(g) Supports and services. When the placement has been selected, the licensee shall ensure that any needed supports and services are provided to the child to maintain the placement. If the placement is in a family home setting, the licensee shall ensure that the family receives any needed supports and services to maintain the placement.

(h) Medical services. Each licensee shall develop and implement policies and procedures to ensure that emergency and ongoing medical care is obtained for each child in an out-of-home placement.

(1) Each licensee shall ensure that each child has a health assessment scheduled within 14 calendar days of the child's first out-of-home placement, unless there is documentation of an assessment completed within the past year. The assessment shall be conducted by a physician with a current license to practice in Kansas or by a nurse with a current license to practice in Kansas who is approved to conduct assessments.

(2) Each licensee shall ensure that the immunizations for each child in an out-of-home placement or an adoptive placement are current as medically appropriate and are maintained

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

current for the protection from diseases specified in K.A.R. 28-1-20. The child-placement agency policies and procedures shall include provision for an exemption from the immunization requirement that includes the following:

(A) written certification from a physician with a license to practice in Kansas stating that the physical condition of the child is such that the immunization would endanger the child's life or health; or

(B) a written statement signed by the child's parent or legal guardian that the parent or guardian is an adherent of a religious denomination whose teachings are opposed to immunizations.

(3) Each licensee shall ensure that emergency medical treatment is available for each child in an out-of-home placement or an adoptive family placement.

(A) Each licensee shall ensure that an original or copy of a medical and surgical consent form is maintained in the case record for each child in an out-of-home or an adoptive family placement.

(B) Each licensee shall provide an original or a copy of a medical and surgical consent form to each out-of-home placement provider or adoptive parent for each child placed with the out-of-home placement provider.

(i) Medication. Each licensee shall ensure that there is a plan for the provision of prescription and nonprescription medication for each child entering any out-of-home placement, to ensure continuity and to prevent any interruption in the administration of medication. For each child taking a prescription medication, each licensee shall ensure that a three-day supply of

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

each current medication and a written prescription to fill or refill each medication is provided to the out-of-home placement at the time of placement. Each medication shall be in the individual original container and shall be given to the individual taking responsibility for the child.

(j) Dental services. Each licensee shall develop policies and procedures to ensure that emergency and ongoing dental care is obtained for each child in an out-of-home placement. Each child in an out-of-home placement who is 12 months of age or older shall receive a dental examination by a licensed dentist within 60 days of the child's first out-of-home placement or adoptive placement, unless there is documentation of an assessment completed within the previous six months.

(k) Placement information. Each licensee shall ensure that written policies and procedures for sharing child-specific information are provided to the foster family, the sponsoring child-placement agency for the family, or the residential care facility. The policies and procedures shall include the following as applicable:

(1) Signed medical and surgical consent forms or, in the case of an after-hours emergency placement, a provision for obtaining medical and surgical consent forms;

(2) a current agreement to place the child;

(3) a description of the circumstances leading to the current placement and, the reason the child came into state or child-placement agency custody;

(4) a description of the child's recent circumstances, including all medical problems, mental health concerns, and safety concerns;

(5) information about the child's medication and dietary needs and the name of each of

APPROVED

JUN 1 2 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 2 8 2023

ATTORNEY GENERAL

the child's current health care providers, if known;

(6) any allergies from which the child suffers, if known;

(7) the name, address, and telephone number for the last educational program the child attended;

(8) a copy of the court order or other document authorizing the secretary of the department for children and families or the child-placement agent to place the child;

(9) a designation of the race or cultural heritage of the child, including any tribal affiliation;

(10) the name and current contact information for the child's parent or legal guardian;

(11) the spiritual or religious affiliation of the child and the child's family;

(12) the child's placement history summary, including the name, address, and telephone number of any advocates;

(13) a description of positive attributes and characteristics of the child and, if available, related information from the child, the child's family including siblings, and concerned individuals in the child's life;

(14) the name and contact information for the child-placing agent who is responsible for supervising the child's placement; and

(15) a copy of the current case permanency plan.

(l) Mental health services. Each licensee shall develop and implement policies and procedures based on the initial and ongoing assessments of the child to ensure that any emergency and ongoing mental health services are obtained for each child in an out-of-home

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

placement. The selection of a mental health services provider shall include consideration of the need for continuity with the current provider when there is a change in placement of the child.

(m) Documentation. Each licensee shall document the basis of each placement selection and the factors that were considered when selecting the placement.

(n) After-care services. Each licensee shall offer services to the child and the child's family to maintain the family unit.

(1) These services shall be offered for at least six months.

(2) Services shall be offered as follows:

(A) When the child is returned to the birth family after out-of-home placement;

(B) when the child has achieved alternative permanency, including independent living;

and

(C) after the legalization or finalization of the adoption of a child occurs.

(3) The offering of the services and any refusal of services shall be documented in the child's case file. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-912. Case plans. Each licensee that has responsibility for case planning for children in out-of-home placement or adoptive placements shall develop case planning policy and procedures. The policy and procedures shall include;

(a) Case plan time frames, tasks, and goals. Each case plan developed for each child accepted for services shall be time-limited, child-focused, and designed to meet the child's needs for health, safety, well-being, and permanency through identified goals and tasks.

(b) Participants. Each licensee shall develop and implement policies and procedures for case planning participation and shall include individuals who are significant to the child or who have knowledge of the child.

(c) Signatures. Each case plan and each periodic review shall be dated and signed by the child welfare worker, with the participants identified. The case plan shall include the start and end dates of the case plan. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-913. Services for birth families and expectant parents. Each licensee who provides services to birth families and expectant parents shall meet the requirements of this regulation.

(a) Each licensee shall develop and implement policies and procedures that include the following:

(1) The right of the birth family to select a specific child-placement agency for services, unless the selection is determined by the court or by another oversight agency or entity;

(2) a description of the range of services offered by the child-placement agency for birth families, including the fee schedule for each service;

(3) a prohibition of coercion of the birth parents in their decision-making process for the child;

(4) the birth family's legal rights under current Kansas statutes;

(5) the requirements of the child-placement agency for any birth family counseling, including the topics to be discussed;

(6) the plans for services to be provided to the birth family following the return home of the child from an out-of-home placement or the placement of a child with an adoptive family;
and

(7) when adoption is the plan for the child, the following policies and procedures shall be developed:

(A) The process for sharing with the birth parents any information about potential adoptive parents for the child; and

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(B) the child-placement agency's policies and procedures on contacts between the birth parents and the adoptive parents of a child.

(b) Each licensee shall have a written agreement with each birth family receiving services from the child-placement agency. The contents of the written agreement shall include a description of the services to be provided by the child-placement agency, all fee arrangements, and the rights and responsibilities of the parent and of the child-placement agency.

(c) Each licensee shall make referrals to other resources for any services needed by the birth family that are not provided by the child-placement agency. If referrals are made to another agency or resource, the child-placement agency shall contact the other agency or resource as needed to determine if the identified needs of the birth family are being addressed.

(d) Each licensee who provides services to parents or expectant parents considering relinquishing parental rights shall develop and implement policies and procedures for those services. Each licensee shall meet the following requirements:

(1) Each licensee shall ensure that each parent or expectant parent has the information and opportunity needed to explore the complete range of options available in planning for the future of the child.

(2) Each licensee shall provide each parent or expectant parent with the following information in writing:

(A) Information on whether the parent or expectant parent is required to sign a contract or an agreement with the child-placement agency concerning the proposed relinquishment;

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(B) the rights of birth parents and expectant parents and the process of relinquishing parental rights, including the process for identifying the biological father and any and all presumed birth fathers of the child and the right to change a decision at any time before the execution of the relinquishment;

(C) the range of services provided by the child-placement agency for birth parents or expectant parents who decide to parent the child, including the child-placement agency's fee policies;

(D) the requirements for parent or expectant parent counseling about decision-making for the child, including the topics to be covered;

(E) the child-placement agency's policies and procedures concerning relinquishment and adoption, including the role of the birth parent or expectant parent in the selection of an adoptive family for the child;

(F) information about the different types of adoption and any continued involvement of the parent with the child once the adoption has been legalized;

(G) information about the range of available adoptive families for the child;

(H) the policy of the child-placement agency on any payments, goods, or services to be given to the parent or expectant parent, including a method for the itemization of payments, goods, or services consistent with applicable adoption law;

(I) any policy or requirement of the child-placement agency that would preclude the child-placement agency accepting a voluntary relinquishment, which may include the following:

(i) A medical condition of the child;

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(ii) information needed as required by the indian child welfare act; and

(iii) the age of the child.

(3) Each licensee shall ensure that a plan for services is developed for each birth parent and each expectant parent receiving services from the child-placement agency. Services shall be based on the physical, emotional, and financial needs and the preferences of the birth parent or expectant parent and the availability of services and resources of the child-placement agency. Services may be provided by the child-placement agency staff or through referral of the birth parent or expectant parent to other community resources and shall include the following:

(A) Discussion of the decision to parent the child or to relinquish parental rights,

including the following:

(i) Coping with feelings of grief and loss;

(ii) the reactions of family and friends to the decision to parent or to relinquishment parental rights;

(iii) in the case of a decision to relinquish parental rights, concerns related to exchanging information or communicating with the adoptive parent; and

(iv) lifelong implications of the decision, including the possibility of adoption search;

(B) a referral for legal services;

(C) financial assistance if described in the written agreement between the parent or expectant parent and the child-placement agency;

(D) any medical assistance, including transportation, described in the written agreement;

and

APPROVED

JAN 04 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(E) a plan for follow-up services with the parent after the relinquishment of parental rights. The child-placement agency shall offer follow-up social services and counseling to each parent for at least six months following the relinquishing of parental rights.

(e) Each licensee shall ensure that policies and procedures of the child-placement agency address the additional requirements for providing services to parents or expectant parents who are minors. The policies and procedures shall include the requirements of this regulation, referral for legal counseling independent from the child-placement agency's legal services providers, and additional counseling for the minor parent and the minor parent's family.

(Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-914. Sponsorship services for placement families and adoptive families. (a)

Provision of reports. Each licensee shall ensure that the following information is made available to each prospective foster family and adoptive family upon request:

(1) A copy of the current child-placement agency license for the agency and contact information for the department for any licensing questions;

(2) a copy of the most current annual report prepared by the child-placement agency required by K.A.R. 30-47-909; and

(3) a copy of the grievance and appeal processes of the child-placement agency.

(b) Recruitment and retention. Each licensee shall ensure that there is an ongoing recruitment and retention plan to address the need for new and existing placement families and adoptive families. The plan shall include the following:

(1) Methods of recruitment and retention;

(2) types of advertising and other sources to be used;

(3) the establishment of goals for recruiting and retaining foster placement families or adoptive families to meet the needs of the children receiving services from the child-placement agency; and

(4) the identification of specific staff for recruitment and retention activities.

(c) Application process for prospective foster families and adoptive families. Each licensee shall develop and implement policies and procedures for the application process to become a foster family or an adoptive family sponsored by the child-placement agency.

(1) Each licensee shall ensure that the child-placement agency's policies and procedures are followed for the processing of each application of a prospective foster family or prospective

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

adoptive family.

(2) The application process shall include the following:

(A) Obtaining authorization for the child-placement agency to obtain third party information to begin the assessment process, including authorization to conduct background checks and reference checks;

(B) obtaining a signed declaration of the prospective placement parent's intent to become a family foster home parent or the prospective adoptive parent's intent to become an adoptive parent;

(C) receiving, if applicable, the payment of any application fee required by the child-placement agency; and

(D) responding in writing to each prospective foster family and each prospective adoptive family no later than 30 calendar days after receiving the application, indicating the licensee's intent to proceed with the application process, to obtain additional information, or not to proceed with the process.

(3) Each licensee shall develop a child-placement agency application form for each prospective licensed or agency approved foster family and each prospective adoptive family that shall be completed, signed, and dated by each prospective parent and each prospective adoptive parent before the child-placement agency proceeds with the application process.

(d) Orientation. Each licensee shall ensure that there is an orientation program to provide prospective foster families and prospective adoptive families with the following information:

(1) The child-placement agency purpose, philosophical and religious beliefs, policies, and

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

procedures on the sponsorship of placement families and adoptive families;

(2) information on the child-placement agency's requirements to become a foster family;

(3) the training requirements of the child-placement agency;

(4) the characteristics and needs of children typically receiving services through the child-placement agency or placed for adoption by the child-placement agency;

(5) all supports and resources available to placement families and adoptive families sponsored by the child-placement agency;

(6) information on applicable reimbursement rates and schedules and applicable fees for services;

(7) for families applying for a family foster home license or agency approval as a family foster home, information about the licensing or agency approval process;

(8) a description of the programs for which the licensee has been approved by the department and the services offered by the child-placement agency, which may include foster care, domestic adoption, intercountry adoption, and postlegalization or postfinalization services, and the role of the licensee in providing each of the services;

(9) the process the child-placement agency uses to select an adoptive family for a child;

(10) a statement clarifying that the payment of fees is for the services provided by the licensee and does not guarantee the placement of a child with the family;

(11) the expected time frames for each service provided;

(12) the process for sharing with an adoptive family any information about an adoptive child and the child's birth family;

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(13) the policies and procedures on contact between the adoptive parents and the birth parents of a child; and

(14) any policy or requirements that would preclude placement of a child with a prospective family foster home or adoptive family.

(e) Notification to family. Following the application process, orientation, and completion of a family assessment, each licensee shall notify each prospective foster family or prospective adoptive family of the licensee's decision whether to accept the family for sponsorship. The notification shall be submitted in writing and provided to the family within 30 calendar days of the decision.

(1) If the decision is to accept the family, the notification shall include the effective date of sponsorship.

(2) If the decision is not to accept the family, the notification shall include the effective date and the reason for the decision.

(f) Support and ongoing contact. The designated child welfare worker or a social service staff member operating under the direction of the child welfare worker shall provide supportive services and shall have ongoing contact with each foster family and each adoptive family.

(1) The worker shall provide contact at least one time every three months to maintain communication when there is no child in the family foster home.

(2) The worker shall complete a monthly in-home face to face visit with a foster family when a child is in placement to identify any needed services and supports.

(3) The worker shall provide contact at least one time every three months, to maintain

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

communication with the adoptive family.

(4) The worker shall complete a monthly in-home face to face visit with the adoptive family when a child is placed to identify any needed services and supports until the adoption is finalized.

(g) Training. Each licensee shall provide training opportunities for foster families and adoptive families through direct service or other training resources to enhance the knowledge and skills of placement families and adoptive families. Training for licensed placement families shall include the following:

(1) Prelicensure training.

(A) An instructor-led family foster home preparatory program approved by the department;

(B) an instructor-led first aid training course that includes cardiopulmonary resuscitation (CPR) for the ages of children to be placed;

(C) training in universal precautions; and

(D) medication administration training.

(2) In-service training. Each licensee through direct service or other training resources shall offer at least two clock-hours of training every 90 days each licensing year for a minimum of eight clock-hours each year. At least two of the required eight clock-hours offered shall be instructor led or through participation in group training, including workshops, conferences, and academic coursework. The training topics shall provide the opportunity to develop competency in two or more of the following areas:

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

- (A) Advocacy;
 - (B) attachment issues and disorders;
 - (C) child development;
 - (D) crisis management including intervention techniques for problem or conflict resolution, diffusion of anger and de-escalation methods;
 - (E) communicating and connections with birth families;
 - (F) discipline and behavior management techniques;
 - (G) human sexuality including gender identification;
 - (H) human trafficking and exploitation;
 - (I) indicators of gang involvement;
 - (J) indicators of self-harming behaviors or suicidal tendencies and knowledge of appropriate intervention methods;
 - (K) medical and mental health disorders, treatment modalities, and pharmacology;
 - (L) principles of trauma-informed care and trauma-specific interventions;
 - (M) reasonable and prudent parenting standard;
 - (N) regulations governing family foster homes;
 - (O) report writing and documentation methods; and
 - (P) resources and services available to youth transitioning to independent living if applicable.
- (h) Consideration for placement. Each licensee shall perform the following:
- (1) Communicate all known strengths, behaviors, and needs of the child, including all

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

special or medical needs of a child to be placed with the adoptive or foster family;

(2) discuss the potential impact of the placement on the family and on the child;

(3) assist with the decision whether or not to accept the child; and

(4) identify any services that will be needed by the child or by the family during the placement.

(i) After placement. Following any decision to remove the child from the family foster home or adoptive family, each licensee shall assist the family with the impact of the removal on the family.

(j) Transfer of sponsorship. Each licensee shall develop and implement policies and procedures for the transfer of sponsorship of placement families and adoptive families from one sponsoring child-placement agency to another when the family requests a transfer. Provisions shall be made for any fee or reimbursement arrangements, completion of family assessments, and for the transfer of records.

(k) Transfer of sponsorship of placement families.

(1) Each transfer shall be based on the written request of a family submitted to the current sponsoring child-placement agency.

(2) The transfer of any licensed family foster home shall be approved by the department before the transfer is completed.

(3) The child-placement agency to which a foster family wants to transfer shall be responsible for the following before accepting sponsorship of the foster family:

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(A) Ensuring that the request for transfer and orientation meet the requirements of subsections (c) and (d);

(B) notifying the family's current sponsoring child-placement agency of the request for transfer, the planned date of transfer, and the need for the family's record;

(C) ensuring that a child welfare worker has completed the following:

(i) A new family assessment that meets the requirements of K.A.R. 30-47-916;

(ii) reviewing the records, including any complaint history or corrective action plans, from the current child-placement agency and from any other available resources, including the department; and

(iii) based on the family assessment and the review of records, documenting any health and safety concerns and any plan of correction developed between the child-placement agency and the family; and

(D) before accepting any licensed family foster home for sponsorship, each licensee shall meet the requirements of paragraphs (k)(3) (A), (B), and (C) and the following additional requirements:

(i) Notify the department of the request for transfer of sponsorship on a form provided by the department;

(ii) review the most recent licensing health and safety inspection and completing a new inspection if needed;

(iii) provide the department and the family a copy of the new inspection and results;

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(iv) provide the department documentation of the correction or plan of correction developed to address any areas of noncompliance that were identified in the assessment or the review of records; and

(v) obtain written approval of the transfer from the department.

(4) The current sponsoring child-placement agency shall be responsible for the following:

(A) Providing the foster family's record to the new sponsoring child-placement agency no later than 30 calendar days from the date of the notification of the family's request for transfer, including the following:

(i) The family assessment and any updates;

(ii) background check form;

(iii) preservice and in-service training materials;

(iv) all health and safety inspections and any related corrective action plans completed within the two-year period before the family's request to transfer;

(v) any history of grievances or complaints and any corrective action plans; and

(vi) the current application for licensure;

(B) notifying the child-placement agent of any child placed in the home that the family is requesting to transfer to a new sponsoring child-placement agency; and

(C) maintaining all sponsorship services to the family until the family's transfer to another child-placement agency has been completed.

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(l) Withdrawal of sponsorship. Each licensee shall develop and implement policies and procedures for the withdrawal of sponsorship of foster families and adoptive families.

(1) Each licensee shall document the decision to withdraw sponsorship and the reasons for the decision.

(2) Sponsorship shall not be withdrawn until provisions have been made for any child who is in placement with the foster family or with an adoptive family before legalization or finalization of the adoption. The provisions for the child shall include one of the following:

(A) Arrangements for a new placement for the child; or

(B) completion of the transfer of sponsorship of the family to another child-placement agency.

(3) Each licensee shall notify the foster family or adoptive family in writing of the decision, within 30 calendar days of the decision.

(4) For each licensed family foster home, each licensee shall notify the department of the decision to withdraw sponsorship of the family at the time of notification to the family.

(m) Closure of a foster family or adoptive family home child-placement agency record. Each licensee shall develop and implement policies and procedures for the closure of a foster family or adoptive family home child-placement agency records.

(1) Foster families.

(A) When any foster family notifies the sponsoring child-placement agency that the foster family no longer wishes to be a placement resource for children, the licensee shall document the request and the reason for closure. The licensee shall complete the following:

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(i) Work with the family to transfer placement of each child currently placed in the family home within 14 days;

(ii) notify the family of the closure of the child-placement agency's record within 30 calendar days of the closure; and

(iii) if the home is a licensed family foster home, notify the department of the family's reason for closure and the effective date, at the time the family is notified of the closure of the child placement agency's record.

(B) While a child is in placement with the family, the sponsoring child-placement agency shall not close the child-placement agency record of the family.

(2) Adoptive families. When any adoptive family notifies the sponsoring child-placement agency that the family no longer wants to be an adoptive resource for children and wants to have the child-placement agency record closed, the licensee shall close the record, including the following procedures:

(A) Working with the family to transfer within 14 days, placement of any child who is placed in the adoptive family home, if the legalization or finalization of the adoption has not occurred; and

(B) notifying the family of the closure of the child-placement agency's record within 30 calendar days of the closure. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-915. Complaints and concerns regarding foster families and adoptive

families. (a) Policies and procedures. Each licensee that sponsors foster placement families or adoptive families shall develop and implement policies and procedures for receiving, documenting, reporting and, when appropriate, conducting or participating in the investigations of complaints and concerns that involve foster families and adoptive families. The policies and procedures shall assess the ability of the foster family or adoptive family to protect the health, safety, and well-being of any child, shall include the reporting requirements of K.A.R. 30-47-909, and shall address the roles and responsibilities of the staff members and child-placement agency volunteers.

(b) Investigations by law enforcement or the department. When an agency other than the licensee is conducting an investigation of a foster family or an adoptive family sponsored by the licensee, each licensee shall meet the following requirements:

- (1) Cooperate with the investigating agency throughout the investigation;
- (2) assist the family during the investigation; and
- (3) ensure that no staff member or volunteer of the child-placement agency discloses to the family any of the following without documented approval of the investigating agency:
 - (A) Information that would compromise the investigation; and
 - (B) advance notice of an unannounced contact to the family by the investigating agency or child-placement agency staff member.

(c) Sponsoring agency investigations on child-placement agency-approved placement families. If the licensee receives a complaint on a foster family that is not licensed as a family foster home or on an adoptive family and the complaint does not involve allegations of child

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

abuse or neglect or of criminal activity, the licensee shall assign a child welfare worker to complete the following:

- (1) Investigate the allegations;
- (2) write a narrative report documenting the interviews, observations, and results of the investigation;
- (3) document whether the contact with the family was announced or unannounced;
- (4) notify the family in writing of the results of the investigation;
- (5) if indicated by the results of the investigation, document the development and completion of the corrective action plan of the family;
- (6) maintain the investigation narrative, the notification of results to the family, and the completion of any corrective action plan in the record of the family; and
- (7) if the licensee determines that an investigation warrants the additional involvement of law enforcement or the department, the licensee shall refer the investigation to the appropriate entity. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-916. Family assessments for foster placement families and adoptive families.

Each licensee shall develop and implement policies and procedures for the completion of family assessments. Each family assessment shall determine the fitness, ability, and suitability of a family to meet the needs and to provide for the health, safety, and well-being of any child who would be placed in the family home.

(a) Requirements for all family assessments.

(1) Each licensee shall designate a child welfare worker to complete an initial family assessment of each potential foster placement family and each potential adoptive family that is being considered for sponsorship and services by the child-placement agency.

(2) Each licensee shall ensure that an assessment of each potential placement family and each potential adoptive family is completed and the family has been approved for placement before placement of any child in a family home sponsored by the child-placement agency. In any case involving placement of a child with a non-related kinship family or an agency-approved family, the child may be placed with the family before completion of the family assessment. In this case the assessment shall be completed within 30 calendar days after the placement.

(3) Each licensee shall ensure that the process for completing each family assessment includes the following steps:

(A) At least one individual interview with each household member and at least one visit in the family home. The sponsoring child placement agency shall have discretion for either an interview or observation of family members based on age and developmental ability;

(B) a review of information obtained from other agencies, a relative reference, a non-

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

relative reference, the preparatory training program assessment and recommendations, the department's child care licensing and registration information system, and other applicable sources; and

(C) completion of the background checks required in K.A.R. 30-47-805 and 30-47-905.

(4) Each licensee shall ensure that a written family assessment report is completed with the date, the signature and credentials of the designated child welfare worker or child welfare supervisor who is completing the assessment report. Each family assessment shall include a discussion and documentation of the following:

(A) Social history and background information for each parent, including the following:

(i) Parenting and child-rearing methods used;

(ii) history of violence or abuse;

(iii) relationships within the family;

(iv) marital history;

(v) extended family relationships;

(vi) family strengths;

(vii) functional literacy and communication;

(viii) life history of each parent, including significant life events;

(ix) residence history for the previous 5 years;

(x) employment history for the previous 5 years of each potential parent;

(xi) physical health, including chronic illnesses, physical limitations, substance use, and use of medications; and

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(xii) mental health history of each family member.

(B) the manner that the family has coped with significant life events and life changes, including the following:

- (i) Emotional problems or mental illness;
- (ii) substance use, substance abuse and treatment for each family member;
- (iii) legal issues or contacts with law enforcement;
- (iv) marital or other significant relationship problems;
- (v) history of violence or abuse;
- (vi) medical problems;
- (vii) financial problems, including bankruptcy;
- (viii) family moves or changes in household composition; and
- (ix) births and deaths;

(C) the family's experience, perception, and attitude about the foster care or adoption process, including the following:

(i) Experiences of each potential parent, including whether the parent has been disapproved as a prospective foster or adoptive parent or has been the subject of an unfavorable family assessment, including the reasons and any resolution of the disapproval or the unfavorable assessment; and

(ii) experiences, perceptions, and attitudes of extended family members;

(D) the current family composition and description of family life, including the following:

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

- (i) A description of each family member, including age, gender, and racial, ethnic, and cultural background; functional literacy and communication skills;
 - (ii) relationships and interactions with individuals outside the family, including the neighborhood and community and the availability of support systems;
 - (iii) religious affiliation and practice;
 - (iv) financial stability and resources needed to maintain the family;
 - (v) assessment of the individual and family strengths and needs;
 - (vi) the manner in which each family member expresses emotions and feelings with the other family members, including the ability to express empathy and compassion;
 - (vii) skills in coping with feelings of anger or frustration and with provocation from children; and
 - (viii) ability of the family and of each member of the family to adapt to changes;
- (E) information on each child currently in the family home, including the following:
- (i) Interests, activities, and peer relationships;
 - (ii) typical behaviors and manner of expressing emotions and feelings;
 - (iii) the relationships between each parent and the child;
 - (iv) the parenting practices of each parent with the child; and
 - (v) the ability of each parent to see positive uniqueness of the child and to celebrate the child's achievements;
- (F) each parent's capacity for the following:
- (i) Providing for the basic needs of a child;

APPROVED

JUN 1 2 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 2 8 2023

ATTORNEY GENERAL

(ii) expressing sensitivity and concern for a child, including giving and receiving affection;

(iii) expressing the parent's own emotions and feelings;

(iv) setting boundaries and providing guidance to a child;

(v) being involved with the child's school and social activities; and

(vi) discussing decision-making, parenting, and child-rearing methods;

(G) each parent's motivation and the family's willingness and ability to accept a new child in the family and to meet the needs of a new child, including the following:

(i) Documenting expectations of each family member of the impact of a new child coming into the home;

(ii) understanding how to address the new child's own feelings of grief and loss and to assist the child with obtaining and participating in counseling if needed;

(iii) discussing the ability to evaluate and adjust expectations of a child's behavior;

(iv) assessing the ability to adapt to changes, to be flexible, and to use coping skills;

(v) discussing the parent's stated preferences or requests for specific characteristics in a child to be placed with the family, including age, sex, and the family's willingness to accept any special needs, child's history, and birth family background;

(vi) evaluating the family's interest and ability to meet the individual needs of a child, including a child with disabilities, special needs, or specific medical needs;

(vii) evaluating the way a child's individual needs will impact each member of the

APPROVED

JUN 12 2023

APPROVED

JUL 28 2023

DEPT. OF ADMINISTRATION

ATTORNEY GENERAL

family, including extended family members;

(viii) assessing the family's interest, preparation, and willingness to accept a child of a different ethnic, cultural, or religious background, including sensitivity to and plans for dealing with the difference in background and the impact on the family's extended family; including the following:

- (a) preserving the ethnic and cultural identity in a positive manner;
- (b) considering the child's family, community, neighborhood, faith, or religious beliefs;
- (c) considering the child's school activities and friends;
- (d) considering the child's or the child's family's primary language; and
- (e) assessing the family's openness toward contact with the child's birth

family, understanding of the child's circumstances, and plans for discussion of the birth family and history with the child;

(H) each parent's willingness and ability to work with the child-placing agency, the child's birth family, and with others in the child's life; and

(I) a health and safety inspection of all parts of the family foster home conducted by the designated child welfare worker or social service staff member operating under the direction of the child welfare worker to review and discuss with the parents the following health and safety issues:

- (i) Safe storage of medications, alcoholic beverages, household chemicals, personal care products, tools, and sharp instruments;
- (ii) safe and secure storage of firearms, weapons, and ammunition;

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

- (iii) fire or storm safety;
- (iv) safety for swimming pools, hot tubs, bodies of water, or other hazards;
- (v) vaccinations for pets and maintenance of the pet area in a safe and sanitary manner;
- (vi) safe access and interactions between children and pets;
- (vii) adequate sleeping arrangements for all residents of the home and for each potential child to be placed in the family home;
- (viii) any structural hazards and the upkeep of the home; and
- (ix) use of smoking products.

(5) The report shall include a summary of the assessment, the strengths and needs of the family, and supporting documentation, and a recommendation for placement. The written report shall include a recommendation for one of the following:

(A) Approval of the family for foster care or adoption, or for both, and for sponsorship by the child-placement agency, including a recommendation for the number, age range, sex, racial or ethnic background, and any special needs of a child whose needs would be best met by the family; or

(B) disapproval of the family's application for foster care or adoption and sponsorship by the child-placement agency;

(6) Each licensee shall ensure that the results of the written family assessment and any updates are reviewed with the family, including the recommendation for placement of a child with the family or the recommendation not to place a child. Documentation of the review shall be maintained in the family record at the child-placement agency.

APPROVED

JUN 12 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(7) Each licensee shall ensure that each family assessment is updated by a designated child welfare worker at least one time every 12 months following completion of the original family assessment or the most recent update.

(A) An update to a family assessment shall also be completed when any of the following occurs:

- (i) a family amends a license; or
- (ii) a family has moved to a new home; or
- (iii) the sponsorship of the family transfers from one child-placement agency to another.

(B) If the adoptive family lives in another state, each licensee shall document compliance with the statutes of the other state that govern the credentials of the individuals authorized to complete family assessments for adoptive families in that state.

(8) To complete an update, the designated child welfare worker shall conduct at least one interview with the parents and family members in the family home. The sponsoring child placement agency shall have discretion for either an interview or observation of family members based on age and developmental ability.

(9) As part of the update, a designated child welfare worker or a designated social service staff member operating under the direction of the child welfare worker shall conduct at least one health and safety inspection of the family foster home.

(10) The update of each family assessment shall include the following:

(A) A review of changes in the family or the home since the original family assessment or the most recent assessment update;

APPROVED

JUN 1 2 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 2 8 2023

ATTORNEY GENERAL

(B) a review of the care and progress of each child currently placed with the family;

(C) a list of all children placed with the family since the most recent assessment, including for each child the date of admission, date of move from the family, and the reason for the move. The list shall be reviewed for any trends and shall be maintained in the family record at the child-placement agency; and

(D) an updated summary and recommendation by the child welfare worker completing the family assessment.

(b) Required for adoption assessments. In addition to the requirements in subsection (a), each licensee shall ensure that the following requirements are met for conducting family assessments for each family that is applying to adopt a child:

(1) Each licensee shall ensure that there is a recent photograph of the family in the family record.

(2) Each licensee shall ensure that requirements of the other state are met when a family is applying to adopt a child from another state, and the requirements of the other country are met when a family is applying to adopt a child from another country.

(3) The assessment shall include health insurance coverage for each potential parent.

(4) The assessment shall assess willingness and ability to meet the financial responsibility for a child.

(5) The assessment shall include health care coverage of any adoptive child upon the child's placement in the adoptive family home.

(6) The assessment shall assess each parent's willingness and ability to accept a legal risk

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

adoption placement.

(7) The assessment shall include each parent's plan for discussing adoption with an adopted child, including discussion of the birth family of the child.

(8) The assessment shall assess each parent's attitude about adoption search, including the possibility of location and reunification of the child with the child's birth family or the child obtaining non-identifying information about the child's birth family. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-917. Specific services for licensed and child-placement agency-approved family foster homes. Each licensee that sponsors licensed or child-placement agency-approved foster families shall ensure that the child-placement agency policies and procedures meet the requirements of K.A.R. 30-47-906 and 30-47-914 and the additional requirements of this regulation.

(a) Application for license or child-placement agency approval as a family foster home.

(1) If a family wants to apply for a family foster home license or to become a child-placement agency-approved family foster home, each licensee shall designate a child welfare worker to oversee the completion of the following requirements as the secretary's designee:

(A) Assist the family with completion of the department's application form and all documentation required to obtain a family foster home license or agency approval;

(B) submit to the department a request for background checks for the family members as specified in K.A.R. 30-47-805;

(C) ensure that the designated child welfare worker or a social service staff member operating under the direction of the child welfare worker completes a licensing health and safety inspection of the family's home to determine compliance with statutes and regulations governing family foster home and documents the inspection on forms provided by the department. The inspection shall be completed no later than 60 calendar days after receiving the completed application. The designated child welfare worker shall complete the following additional steps:

(i) Ensure that the designated child welfare worker or a social service staff member operating under the direction of the designated child welfare worker completes any additional licensing health and safety inspections needed to verify the correction of any findings of

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

noncompliance with all applicable family foster home statutes and regulations; and

(ii) after each licensing health and safety inspection, complete a written notice of survey findings, on a form provided by the department. If noncompliance is found, the written findings shall include the specific regulatory references and descriptions for each area of noncompliance; and

(D) submit to the department all documentation required for a family foster home license, on forms provided by the department, no later than 90 calendar days following the date of the application signed by the potential foster family.

(2) Each licensee shall ensure that the department is notified within 14 calendar days if a potential foster family withdraws an application or moves to a new home before a temporary permit or a license is granted.

(3) When a licensed or agency-approved foster family moves, each licensee shall submit to the department the initial licensing packet within 14 calendar days of a move.

(4) When a licensed foster family moves to a new home and has children in placement, each licensee shall request a temporary permit.

(b) Application to renew a family foster home license or agency approval. If a family wants to renew the family foster home license or agency approval, each licensee shall designate a child welfare worker or a social service staff member operating under the direction of the child welfare worker to assist the family with completion of the department's application forms, the request for background check form, and all documentation required to renew the license or agency approval.

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(c) Annual inspections and assessments required.

(1) Each licensee shall ensure that a family assessment update is completed that meets the requirements of K.A.R. 30-47-916, including a review of the family's strengths and needs related to the children placed in the home during the previous year and the care and progress of each child currently placed with the family.

(2) Each licensee shall ensure that the designated child welfare worker or a social service staff member operating under the direction of the child welfare worker completes the following:

(A) An annual licensing health and safety inspection of the family's home to determine compliance with statutes and regulations governing family foster home and document the inspection on forms provided by the department;

(B) any additional licensing health and safety inspections as needed to verify the correction of any findings of noncompliance with any family foster home statutes and regulations; and

(C) after each licensing health and safety inspection, a written notice of survey findings to document the survey findings, on a form provided by the department. If noncompliance is found, the written findings shall include the specific regulatory references and descriptions for each area of noncompliance.

(3) Each licensee shall ensure that all required documentation is submitted to the department within 90 calendar days of the department's request, including the following:

(A) Documentation of completion of the annual licensing health and safety

APPROVED

JUN 13 2023

APPROVED

JUL 28 2023

inspection, any additional inspections conducted to verify compliance, and a plan of correction for any remaining areas of noncompliance;

(B) documentation of in-service training;

(C) updated family assessment including a list of all children placed in the home in the previous year; and

(D) an updated summary and recommendation for use. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-918. Adoption services. In addition to meeting the requirements of K.A.R. 30-47-914, each licensee who provides adoption services shall ensure that the child-placement agency policies and procedures meet the following additional requirements.

(a) Placement services to adoptive families and children. Each licensee shall develop and implement policies and procedures for the selection of adoptive families for children and for the preparation of each adoptive family and child.

(1) Selection of adoptive family.

(A) If the licensee is responsible for the selection of an adoptive family for a child, the selection shall be based on the adoptive family that can best meet the child's needs and shall meet the requirements of K.A.R. 30-47-912. When the birth parent of the child identifies any preferences about the characteristics of a potential adoptive family, each licensee shall consider those preferences.

(B) If the child's birth parent is making the decision for the selection of an adoptive family for a child, a designated child welfare worker shall counsel the birth parent on the selection process and on the important factors to consider in selecting the adoptive family.

(2) Preparation of adoptive family. When an adoptive family has been selected for the placement of a child for adoption, each licensee shall ensure that a designated child welfare worker prepares the family for the placement through the following procedures:

(A) Providing the family with full disclosure of known information from known resources on the background of the child and the child's family, including social, medical, behavioral, educational, legal, and placement history;

(B) informing the family of what background information is not known;

APPROVED

JUL 28 2023

ATTORNEY GENERAL

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

(C) referring the family to any resources needed to assist the family in understanding the background of the child, including medical history and any legal issues;

(D) discussing with the family the legal status of the child, including any legal risk;

(E) discussing with the family any requirement for the family to obtain a family foster home license;

(F) discussing with the family the financial impact of completing an adoption and any possible financial resources available; and

(G) providing information and counseling to assist and support the family in the family's decision to proceed with the adoption.

(3) Preplacement contacts. Each licensee shall develop and implement policies and procedures for preplacement contacts or visits between the child and the selected adoptive family.

(A) If the child is receiving services from the licensee, preparation for placement shall be provided as specified in K.A.R. 30-47-910(c).

(B) If the child is coming from another child-placement agency, another state, or another country, the licensee shall provide information about the family for the other agency's or entity's use in arranging for the adoption.

(4) Each licensee shall arrange for at least one preplacement contact or visit between the child and the selected adoptive family. When specified in the licensee's policies and procedures, a preplacement contact or visit may be waived for a newborn being placed directly from a hospital with an adoptive family.

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(b) Services during placement. Each licensee shall designate a child welfare worker to provide services to the family during the placement.

(1) Supervision. The designated child welfare worker shall supervise each placement from the time a child is placed with an adoptive family until legalization or finalization to assess the following:

- (A) The physical and emotional well-being of the child;
- (B) successful attachment between the child and the adoptive family;
- (C) positive adjustment of all adoptive family members; and
- (D) confirmation that adoption-related issues are identified and services are offered as needed to maintain the placement.

(2) Contacts. The designated child welfare worker shall develop a plan with the family for regular contacts, including the following:

(A) The designated child welfare worker shall conduct a face-to-face visit with the entire family in the family home within the first two weeks of placement or, if the adoption occurred in another state, within the first two weeks of the family's return home.

(B) If the adoption occurred in another country, a face-to-face visit shall occur within the first 30 days of the family's return home.

(C) The designated child welfare worker shall conduct at least one face-to-face contact each month in the family home with the adoptive parents and the adopted child.

(D) If the child is from another state or another country, all additional contact requirements of the other state or other country shall be met.

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

(3) Documentation of contacts. Each licensee shall maintain records that include the following:

(A) Written documentation of all visits and significant contacts; and

(B) at least one postplacement report completed by the designated child welfare worker at the time of legalization or finalization, or more frequently if required by the court or by another country, and shall include information regarding the following:

(i) The physical health and emotional well-being of the child;

(ii) adjustment of each family member and of the adoptive child to the adoption;

(iii) financial changes in the family;

(iv) changes in family composition;

(v) changes in the physical health or emotional well-being of any family member that could affect the family's ability to care for the adoptive child;

(vi) any reports from other sources, including law enforcement, school or a child care provider, if applicable;

(vii) any other adoption issues that have arisen;

(viii) recommendation on the continued placement of the child; and

(ix) recommendation on the legalization or finalization of the adoption.

(c) Disruption. Each licensee shall develop and implement policies and procedures for the children and adoptive families when placements disrupt before the legalization or finalization of the adoption.

(1) If an adoption disruption occurs, the designated child welfare worker who is

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

responsible for the adopted child shall develop a plan for removal of the child from the home and placement of the child in another adoptive home or other placement.

(2) The designated child welfare worker who is responsible for the adopted child shall ensure that services are provided to help the child deal with feelings of loss, grief, and anger and to adjust to the new placement.

(3) Each licensee shall offer services to the adoptive family following a disruption to assess the impact of the adoptive placement and the disruption on each member of the adoptive family, including any feelings of loss, grief, and anger. A designated child welfare worker shall assist the family in making any of the following decisions:

(A) To update the adoptive family assessment and begin the process of considering the family for placement of another adoptive child;

(B) to delay accepting any other adoptive child in the home; or

(C) to close the family's adoption file.

(d) Legalization or finalization. Each licensee shall develop and implement policies and procedures for adoptions that are finalized in Kansas. Each finalization shall be completed in a timely manner and shall meet the requirements of state statutes. The policies and procedures shall ensure that the following procedures are followed:

(1) The adoptive family shall retain an attorney for the legal process, separate from the attorney of the sponsoring child-placement agency.

(2) The child's child-placing agent shall ensure that all documents needed for legalization or finalization and for the application for a new birth certificate for the child are provided to the

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

family's attorney.

(e) Postlegalization or postfinalization services. Each licensee shall develop and implement policies and procedures to ensure that postlegalization or postfinalization services are offered.

(1) Postlegalization or postfinalization services shall be offered to the adoptive family, including the adopted child, for at least six months following legalization or finalization of an adoption.

(2) The types of services to be offered to each family and each adopted child shall be based on needs identified with the family and may be provided by the licensee directly or through referral to other agencies or resources

(f) Dissolution. Each licensee shall develop and implement policies and procedures for the children and adoptive families whose adoptions are at risk of dissolution after finalization of the adoption. If the licensee provides direct services to assist the family with the decision of whether to dissolve the adoption, the following requirements shall be met:

(1) Each licensee shall ensure that services are offered to each adoptive family and each adopted child to enable the child to remain as a member of the family, to assist the family in making a decision whether to dissolve the adoption, and, when possible, to enable the child to remain in the home. Services may be provided directly by the licensee or through referrals to other agencies or resources.

(2) If the adoptive parent decides to terminate the adoption and relinquish parental rights of the adopted child to the licensee and the licensee accepts the relinquishment, the

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

licensee shall meet the requirements in K.A.R. 30-47-913 for services to parents who want to relinquish parental rights.

(3) If the licensee accepts responsibility for the child, the licensee shall develop a transition plan with the adoptive family for the movement of the child from the home and shall follow the requirements for services to children in K.A.R. 30-47-910.

(g) Adoption search.

(1) Each licensee shall develop and implement policies and procedures for adoption search services that include the following:

(A) A description of the type of information that the licensee will provide to an adopted child or adopted adult, an adoptive family, or the birth family of an adopted child or adopted adult;

(B) confidentiality requirements for the release of written or verbal information; and

(C) referrals to other service, support, or counseling resources as needed by adopted children and adults, adoptive families, and birth families.

(2) If the licensee provides adoption search services, the licensee shall identify and train specific staff members in adoption search services and activities.

(3) Services shall conform to the current statutes concerning the provision of information to adopted children and adopted adults and to adoptive families and to contacts with birth families.

(4) Specific services offered to adopted children and adopted adults, adoptive families, and birth families shall be based on the request of the individual, the availability of information

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

maintained by the child-placement agency, and any assistance needed by the individual to understand the information. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-919. Health-related requirements. (a) Tobacco use prohibited. Each licensee shall ensure that tobacco products or electronic cigarettes are not used on the premises of the child-placement agency. Tobacco products or electronic cigarettes shall not be used by any staff member or volunteer of the child-placement agency in the presence of a child or a family receiving services from the child-placement agency.

(b) Health of staff members and volunteers at the child-placement agency.

(1) No staff member or volunteer of the child-placement agency shall be under the influence of alcohol or illegal substances or be impaired due to the use of prescription or nonprescription drugs while on duty.

(2) Each staff member and each volunteer shall be free from any infectious or contagious disease specified in K.A.R. 28-1-6.

(c) Tuberculin testing.

(1) If a staff member or volunteer is exposed to an active case of tuberculosis or if the location of the child-placement agency is in an area identified by the local health department or the secretary of the department of health and environment as a high-risk area for tuberculosis exposure, tuberculin testing shall be required.

(2) Each staff member or volunteer diagnosed with suspected or confirmed active tuberculosis shall be excluded from work at the child-placement agency until the licensee receives authorization from the treating licensed health care provider for the staff member or volunteer to return. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

AUG 01 2023

APPROVED

AUG 14 2023

DEPT. OF ADMINISTRATION

ATTORNEY GENERAL

30-47-920. Environmental standards. (a) Location and premises. Each licensee shall ensure that the child-placement agency does not provide overnight care for any child in foster care.

(1) Each licensee shall ensure that the child-placement agency is accessible to the children and families receiving services from the child-placement agency, to the staff members and volunteers, and to the community.

(2) Each licensee shall ensure that sufficient space is provided for visitor, staff member, and volunteer parking.

(3) Each licensee shall ensure that public water and sewage systems, where available, are used. If public water and sewage systems are not available, each licensee shall maintain approval by the appropriate health authorities for any private water or sewage systems that are used.

(4) Outdoor areas shall be free of known health, safety, and environmental hazards.

(b) General building requirements.

(1) Each licensee shall ensure that the child-placement agency is located in a building that meets the following requirements:

(A) Complies with the requirements specified in K.S.A. 65-508 and amendments thereto, all applicable building codes, and local ordinances;

(B) is a permanent structure; and

(C) is free from known environmental hazards.

(2) Before making any changes to the premises or the site plan, each applicant and each licensee shall submit to the department an updated detailed floor plan showing the changes.

APPROVED

AUG 01 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 14 2023

ATTORNEY GENERAL

(c) Structural requirements.

(1) Each licensee shall ensure that there is space for the services to be offered, including the following:

- (A) Waiting or reception areas;
- (B) staff work spaces;
- (C) meeting areas that allow for privacy;
- (D) bathrooms; and
- (E) secure and retrievable storage of records.

(2) Each licensee shall ensure that privacy and confidentiality are assured for the children and families receiving services from the child-placement agency.

(d) Shared premises. If activities that are not part of the child-placement agency are conducted on the same premises as those for the child-placement agency, each licensee shall designate a room or rooms for the exclusive use of the child-placement agency.

(1) Each licensee shall ensure the room or rooms used by the child-placement agency are equipped with furniture and office supplies to meet the needs of the staff members and children and families receiving services. Furniture and office supplies shall be maintained in safe operating condition.

(2) Each licensee shall ensure that the facility has adequate locking central storage for supplies, medications, and property of children receiving services. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

AUG 01 2023

DEPT. OF ADMINISTRATION

APPROVED

AUG 14 2023

ATTORNEY GENERAL

30-47-921. Safety. (a) Each licensee shall ensure that the premises are maintained to ensure the safety of children and families receiving services from the child-placement agency, the staff members, volunteers, and others.

(b) Each exit shall be marked. No exit shall be blocked at any time.

(c) A working telephone shall be on the premises and available for use at all times.

Emergency telephone numbers shall be readily accessible or be posted next to the telephone for the police, fire department, ambulance, hospital or hospitals, and poison control center.

(d) Each licensee shall develop and implement an emergency plan to provide for the evacuation and safety of staff members and others in emergencies, including fires, tornadoes, storms, floods, and serious injuries. All of the staff members and volunteers of the child-placement agency shall be informed of the emergency plan, which shall be posted in a prominent location.

(e) Each licensee shall develop and implement policies and procedures regarding the storage and handling of firearms and other weapons on the premises. If a licensee prohibits carrying a concealed weapon on the premises of the child-placement agency, the licensee shall post a notice pursuant to K.S.A. 75-7c10, and amendments thereto. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION

APPROVED

JUL 28 2023

ATTORNEY GENERAL

30-47-922. Transportation. Each licensee shall ensure that the requirements of this regulation are met when any foster child receiving services from the child-placement agency is transported by a staff member or a volunteer of the child-placement agency.

(a) The driver shall be 18 years of age or older and shall hold an operator's license of a type appropriate for the vehicle being used, a copy of which shall be provided to the child-placement agency.

(b) The transporting vehicle shall be maintained in a safe operating condition.

(c) The vehicle shall be covered by accident and liability insurance as required by the state of Kansas.

(d) Trailers pulled by another vehicle, camper shells, or truck beds shall not be used for the transportation of any child.

(e) The use of seat belts and child safety seats shall include the following:

(1) Each foster child shall be secured by the use of a seat belt or a child safety seat when the vehicle is in motion.

(2) No more than one foster child shall be secured in any seat belt or child safety seat.

(3) Each seat belt shall be properly anchored to the vehicle.

(4) When a child safety seat, including a booster seat, is required, the seat shall meet the following requirements:

(A) Have current federal approval;

(B) be installed and used according to the manufacturer's instructions and the vehicle owner's manual;

(C) be appropriate to the height, weight, and physical condition of the child, according to

APPROVED

APPROVED

JUN 13 2023

JUL 28 2023

DEPT. OF ADMINISTRATION

ATTORNEY GENERAL

the manufacturer's instructions and state statutes and regulations;

(D) be properly maintained;

(E) have a label with the date of manufacture and model number, for use in case of a product recall; and

(F) have no missing parts or cracks in the frame or have been in a collision.

(f) The health and safety of the children riding in the vehicle shall be protected as follows:

(1) All passenger doors shall be locked while the vehicle is in motion.

(2) Order shall be maintained at all time to allow safe operation of the vehicle.

(3) All parts of each foster child's body shall remain inside the vehicle at all times.

(4) Foster children shall neither enter nor exit from the vehicle from or into a lane of traffic.

(5) When the vehicle is vacated, the driver shall make certain that no foster child is left in the vehicle.

(6) Smoking in the vehicle shall be prohibited.

(7) When any foster child is in the vehicle, the driver shall pull over and stop the vehicle to use a cellular phone only for communication that is critical and is of short duration.

(8) Each foster child shall be transported to the location designated by the licensee with no unauthorized stops along the way, except in an emergency.

(g) If a vehicle used for transportation of a foster child that is receiving services from the child-placement agency is owned or leased by the child-placement agency, a first aid kit shall be

APPROVED

JUN 13 2023

APPROVED

JUL 28 2023

DEPT. OF ADMINISTRATION

ATTORNEY GENERAL

30-47-922 (3)

in the vehicle. (Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective P-_____.)

APPROVED

JUN 13 2023

DEPT. OF ADMINISTRATION