

Kansas Administrative Regulations Economic Impact Statement (EIS)

Kansas Department for Children and Families
Agency

Beth Lange or Leslie Rannebeck
Agency Contact

785-296-3967
Contact Phone Number

30-47-800, 30-47-801, 30-47-802, 30-47-803, 30-47-804, 30-47-805, 30-47-806, 30-47-807, 30-47-808, 30-47-809, 30-47-810, 30-47-811, 30-47-813, 30-47-815, 30-47-816, 30-47-817, 30-47-818, 30-47-819, 30-47-820, 30-47-821, 30-47-822, 30-47-823, 30-47-824, 30-47-825 Permanent Temporary
K.A.R. Number(s)

30-47-812 and 30-47-814 are reserved

Revoking Regulations: 30-47-3, 28-4-800, 28-4-801, 28-4-803, 28-4-804, 28-4-805, 28-4-806, 28-4-807, 28-4-808, 28-4-809, 28-4-810, 28-4-811, 28-4-812, 28-4-813, 28-4-814, 28-4-815, 28-4-816, 28-4-817, 28-4-818, 28-4-819, 28-4-820, 28-4-821, 28-4-822, 28-4-823, 28-4-824, 28-4-825

Is/Are the proposed rule(s) and regulation(s) mandated by the federal government as a requirement for participating in or implementing a federally subsidized or assisted program?

- Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.
- No If no, do the total annual implementation and compliance costs for the proposed rule(s) and regulation(s), calculated from the effective date of the rule(s) and regulation(s), exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024 (as calculated in Section III, F)?
- Yes If yes, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration, the Attorney General, AND the Division of the Budget. The regulation(s) and the EIS will require Budget approval.
- No If no, continue to fill out the remaining form to be included with the regulation packet submitted in the review process to the Department of Administration and the Attorney General. Budget approval is not required; however, the Division of the Budget will require submission of a copy of the EIS at the end of the review process.

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Section I

Brief description of the proposed rule(s) and regulation(s).

Pursuant to K.S.A. 75-3084 and K.S.A. 75-3085, responsibility for foster care licensing was transferred from the Kansas Department of Health and Environment (KDHE) to the Kansas Department for Children and Families (DCF). These regulations, 28-4-800, 28-4-801, 28-4-802, 28-4-803, 28-4-804, 28-4-805, 28-4-806, 28-4-807, 28-4-808, 28-4-809, 28-4-810, 28-4-811, 28-4-812, 28-4-813, 28-4-814, 28-4-815, 28-4-816, 28-4-817, 28-4-818, 28-4-819, 28-4-820, 28-4-821, 28-4-822, 28-4-823, 28-4-824, 28-4-825, are being revoked as they are no longer applicable to KDHE.

The Kansas Department for Children and Families is revoking K.A.R 30-47-3 as it is replaced by K.A.R. 30-47-802

The Kansas Department for Children and Families is promulgating regulations applicable to Family Foster Homes (FFH) pursuant to K.S.A. 75-3084 and K.S.A. 75-3085, transferring responsibility for foster care licensing from KDHE to DCF.

Section II

Statement by the agency if the rule(s) and regulation(s) exceed the requirements of applicable federal law, and a statement if the approach chosen to address the policy issue(s) is different from that utilized by agencies of contiguous states or the federal government. *(If the approach is different or exceeds federal law, then include a statement of why the proposed Kansas rule and regulation is different.)*

Federal regulations require fingerprinting of all persons age 18 and over in the foster home. Kansas fingerprints all persons age 14 and over. The change was made following a finding by Legislative Post Audit.

The proposed regulations meet the federal requirements, except for the immunization requirement of the FFPSA Model Licensing Standards. KSA 65-508(h)(1)(2) allows for exemptions.

Section III

Agency analysis specifically addressing the following:

- A. The extent to which the rule(s) and regulation(s) will enhance or restrict business activities and growth;

These regulations set requires for a family foster home and will meet the definition of a child care facility in KSA 65-503. Family Foster Homes are recruited, trained and sponsored by Child Placement Agencies, which may be private or public entities.

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- B. The economic effect, including a detailed quantification of implementation and compliance costs, on the specific businesses, sectors, public utility ratepayers, individuals, and local governments that would be affected by the proposed rule(s) and regulation(s) and on the state economy as a whole;

Additional costs will be assumed by either the Child Placement Agencies or a Family Foster Home to meet the federal requirements for all caregivers to be trained and maintain certification in CPR, all caregivers caring for a child under the age of 1 to receive a flu vaccine.

- C. Businesses that would be directly affected by the proposed rule(s) and regulation(s);
Child placement agencies

- D. Benefits of the proposed rule(s) and regulation(s) compared to the costs;
The regulatory requirements will meet the Federal Requirements and are intended to better prepare family foster homes to provide safe child care.

- E. Measures taken by the agency to minimize the cost and impact of the proposed rule(s) and regulation(s) on business and economic development within the State of Kansas, local government, and individuals;

No less costly methods were identified to meet federal requirements.

- F. An estimate of the total annual implementation and compliance costs that are reasonably expected to be incurred by or passed along to businesses, local governments, or members of the public.

Note: Do not account for any actual or estimated cost savings that may be realized.

Costs to Affected Businesses – \$250,000 per year

Costs to Local Governmental Units – [Click here to enter amount.](#)

Costs to Members of the Public – [Click here to enter amount.](#)

Total Annual Costs – [Click here to enter amount.](#)

(sum of above amounts)

Give a detailed statement of the data and methodology used in estimating the above cost estimate.

Estimated cost for recertification is \$50.00 per person every 2 years or \$125,000 per year.

Estimated cost for CPR training is \$50.00 per person required to be trained or \$125,000 per year.

- Yes If the total implementation and compliance costs exceed \$1.0 million over any two-year period through June 30, 2024, or exceed \$3.0 million over any two-year period on or after July 1, 2024, and prior to the submission or resubmission of the proposed rule(s) and regulation(s), did the agency hold a public hearing to find that the estimated costs
- No
- Not Applicable have been accurately determined and are necessary for achieving legislative intent? If

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applicable, document when the public hearing was held, those in attendance, and any pertinent information from the hearing.

If applicable, [click here](#) to enter public hearing information.

Provide an estimate to any changes in aggregate state revenues and expenditures for the implementation of the proposed rule(s) and regulation(s), for both the current fiscal year and next fiscal year.

No changes to current expenditures.

Provide an estimate of any immediate or long-range economic impact of the proposed rule(s) and regulation(s) on any individual(s), small employers, and the general public. If no dollar estimate can be given for any individual(s), small employers, and the general public, give specific reasons why no estimate is possible.

This is an existing program that was transferred from KDHE to DCF. There is no change to current expenditures.

- G. If the proposed rule(s) and regulation(s) increases or decreases revenues of cities, counties or school districts, or imposes functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability, describe how the state agency consulted with the League of Kansas Municipalities, Kansas Association of Counties, and/or the Kansas Association of School Boards.

The rules and regulations do not increase or decrease revenues of cities, counties or school districts nor do they impose functions or responsibilities on cities, counties or school districts that will increase expenditures or fiscal liability.

- H. Describe how the agency consulted and solicited information from businesses, associations, local governments, state agencies, or institutions and members of the public that may be affected by the proposed rule(s) and regulation(s).

The proposed regulations were provided to licensed child placement agencies, advocacy groups and community partners through in-person meetings and email. Review and input were requested. Federal requirements were presented to child placing agencies, advocacy groups and community partners through informational meetings and training sessions.

Section IV

Does the Economic Impact Statement involve any environmental rule(s) and regulation(s)?

- Yes If yes, complete the remainder of Section IV.
 No If no, skip the remainder of Section IV.

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- A. Describe the capital and annual costs of compliance with the proposed rule(s) and regulation(s), and the persons who would bear the costs.

[Click here to enter agency response.](#)

- B. Describe the initial and annual costs of implementing and enforcing the proposed rule(s) and regulation(s), including the estimated amount of paperwork, and the state agencies, other governmental agencies, or other persons who would bear the costs.

[Click here to enter agency response.](#)

- C. Describe the costs that would likely accrue if the proposed rule(s) and regulation(s) are not adopted, as well as the persons who would bear the costs and would be affected by the failure to adopt the rule(s) and regulation(s).

Kansas would not meet the federal requirements of the Family First Prevention Services Act Model Licensing Standards. While there is not cost associated, Kansas would lose federal funding if the requirements are not met.

- D. Provide a detailed statement of the data and methodology used in estimating the costs used.

[Click here to enter agency response.](#)

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Kansas Administrative Regulations
Economic Impact Statement
Public Hearing Certification
(To be completed after the public hearing)

Agency: [Click here to start typing](#)

Agency Contact: [Click here to start typing](#)

Phone Number or Email: [Click here to start typing](#)

K.A.R. Number(s): [Click here to start typing](#)

Public Hearing Date: [Select date](#)

Public Hearing Time: [Click here to start typing](#)

Public Hearing Location: [Click here to start typing](#)

Public Hearing Attendance: [Click here to start typing](#)

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