

**SENATE BILL No. 207**

By Committee on Ways and Means

2-5

1 AN ACT concerning child care; relating to the department of  
2 administration, the Kansas children's cabinet and the department of  
3 health and environment; establishing a pilot program to provide health  
4 services to child care providers; making telehealth consultation services  
5 available to eligible child care providers; providing up to \$100 per  
6 month in reimbursements for prescription medication costs to child care  
7 providers accepted into the health services program; prohibiting cities,  
8 counties or other political subdivisions from regulating licensed child  
9 care providers more strictly than state law; requiring the department of  
10 health and environment to provide a list of licensed child care providers  
11 to any city, county or other political subdivision upon request;  
12 providing any licensed in-home or group-home child care providers  
13 that receive a lower tier of reimbursement under the child and adult  
14 care food program to be matched with the top tier of funding that is  
15 otherwise made available to other providers under the program;  
16 developing and providing free orientation and training programs and  
17 training materials to child care providers and licensees; allowing  
18 orientation and training to count as continuing education hours;  
19 requiring the department and the Kansas children's cabinet to develop a  
20 training reimbursement program; amending K.S.A. 65-508 and  
21 repealing the existing section.

22

23 *Be it enacted by the Legislature of the State of Kansas:*

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25 New Section 1. (a) The department of administration shall coordinate  
26 with the Kansas children's cabinet and the department of health and  
27 environment to establish a pilot program to provide health services to child  
28 care providers working in entities licensed by the department of health and  
29 environment.

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30 (b) (1) The department of administration shall contract for the  
31 provision of telehealth consultation services for child care providers that  
32 are:

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33 (A) A child care provider or licensee for a family child care home,  
34 day care home or group day care home or any type of teacher or program  
35 director in a child care facility;

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(B) actively providing child care services in a licensed facility;

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(C) an individual with family income equal to or less than 150% of

1 the most recent federal poverty guidelines; and

2 (D) not receiving employer-based insurance at the time that such  
3 child care provider applies for the health services program.

4 (2) (A) The department's provision of telehealth consultation services  
5 pursuant to this subsection shall only be provided to child care providers  
6 or licensees for a family child care home, day care home or group day care  
7 home for the fiscal year ending on June 30, 2026.

8 (B) For the fiscal year ending on June 30, 2027, such services shall be  
9 expanded to include child care center employees.

10 (C) For the fiscal year ending on June 30, 2028, such services shall be  
11 expanded to include all child care providers that meet the criteria of  
12 paragraph (1).

13 (c) Any child care provider that is accepted into the health services  
14 program shall also be provided up to \$100 per month in reimbursements  
15 for prescription medication costs. Any such reimbursements may be used  
16 for the child care provider or any dependents thereof.

17 (d) The department of administration may determine the best method  
18 to limit the number of applicants for purposes of the pilot program.

19 (e) The department of administration shall coordinate with the Kansas  
20 department of health and environment to verify that applicants for the  
21 program meet the eligibility requirements of subsections (b)(1)(A) and  
22 (B).

23 (f) Subject to appropriations, for two calendar years, health services  
24 shall be provided for in this section beginning with the services in 2026,  
25 except that the Kansas children's cabinet is directed to seek grant funding  
26 from federal, nonprofit or any other source that may be used to offset the  
27 costs of the program.

28 New Sec. 2. (a) The legislature finds that, as a matter of public policy  
29 and fact, it is necessary to provide statewide uniform standards for  
30 licensed child care and occupy the field of regulation of licensed child care  
31 to ensure that no person is subjectively or arbitrarily denied the ability to  
32 give or receive such care.

33 (b) No city, county or other political subdivision of this state, or any  
34 contractor thereof, shall regulate or restrict any child care provider  
35 licensed by the department of health and environment from providing  
36 child care in any matter that is stricter than what is required by state law or  
37 rules and regulations adopted by the secretary.

38 (c) Any existing or future law, ordinance, rule, regulation or  
39 resolution prohibited by subsection (b) shall be null and void.

40 (d) Upon request of a city, county or other political subdivision of this  
41 state, the department of health and environment shall provide to the  
42 governing authority of such political subdivision a list of licensed child  
43 care providers located within such political subdivision.

1 New Sec. 3. (a) Subject to appropriations, for any licensed in-home  
2 or group-home child care providers that receive a lower tier of  
3 reimbursement from the federal government pursuant to 42 U.S.C. § 1766,  
4 the state shall match funding for such providers with the top tier of funding  
5 that is otherwise made available to other providers by 42 U.S.C. § 1766.

6 (b) The state shall not match funding in any fiscal year in which  
7 enough federal or grant funding has been made available to fulfill the  
8 highest rate of reimbursement as provided in subsection (a).

9 Sec. 4. K.S.A. 65-508 is hereby amended to read as follows: 65-508.

10 (a) Any maternity center or child care facility subject to the provisions of  
11 this act shall:-

12 (1)- Be properly heated, plumbed, lighted and ventilated;-

13 (2)- have plumbing, water and sewerage systems ~~which~~ that conform  
14 to all applicable state and local laws; and-

15 (3)- be operated with strict regard to the health, safety and welfare of  
16 any woman or child.

17 (b) Every maternity center or child care facility shall furnish or cause  
18 to be furnished for the use of each resident and employee individual towel,  
19 wash cloth, comb and individual drinking cup or sanitary bubbling  
20 fountain, and toothbrushes for all other than infants, and shall keep or  
21 require such articles to be kept at all times in a clean and sanitary  
22 condition. Every maternity center or child care facility shall comply with  
23 all applicable fire codes and rules and regulations of the state fire marshal.

24 (c) (1) The secretary of health and environment with the cooperation  
25 of the secretary for children and families shall develop and adopt rules and  
26 regulations for the operation and maintenance of maternity centers and  
27 child care facilities. The rules and regulations for operating and  
28 maintaining maternity centers and child care facilities shall be designed to  
29 promote the health, safety and welfare of any woman or child served in  
30 such facilities by ensuring safe and adequate physical surroundings,  
31 healthful food, adequate handwashing, safe storage of toxic substances and  
32 hazardous chemicals, sanitary diapering and toileting, home sanitation,  
33 supervision and care of the residents by capable, qualified persons of  
34 sufficient number, after-hour care, an adequate program of activities and  
35 services, sudden infant death syndrome and safe sleep practices training,  
36 prohibition on corporal punishment, crib safety, protection from electrical  
37 hazards, protection from swimming pools and other water sources, fire  
38 drills, emergency plans, safety of outdoor playground surfaces, door locks,  
39 safety gates and transportation and such appropriate parental participation  
40 as may be feasible under the circumstances. Boarding schools are excluded  
41 from requirements regarding the number of qualified persons who must  
42 supervise and provide care to residents.

43 (2) Rules and regulations developed under this subsection shall

1 include provisions for the competent supervision and care of children in  
2 day care facilities. For purposes of such rules and regulations, competent  
3 supervision as this term relates to children less than five years of age  
4 includes, but is not limited to, direction of activities, adequate oversight  
5 including sight or sound monitoring, or both, physical proximity to  
6 children, diapering and toileting practices; and for all children, competent  
7 supervision includes, but is not limited to, planning and supervision of  
8 daily activities, safe sleep practices, including, but not limited to, visual or  
9 sound monitoring, periodic checking, emergency response procedures and  
10 drills, illness and injury response procedures, food service preparation and  
11 sanitation, playground supervision, pool and water safety practices.

12 (d) In addition to any rules and regulations adopted under this section  
13 for safe sleep practices, child care facilities shall ensure that all of the  
14 following requirements are met for children under 12 months of age:

15 (1) A child shall only be placed to sleep on a surface and in an area  
16 that has been approved for use as such by the secretary of health and  
17 environment;

18 (2) the sleep surface shall be free from soft or loose bedding,  
19 including, but not limited to, blankets, bumpers and pillows; and

20 (3) the sleep surface shall be free from toys, including mobiles and  
21 other types of play equipment or devices.

22 (e) Child care facilities shall ensure that children over 12 months of  
23 age only be placed to sleep on a surface and in an area that has been  
24 approved for use as such by the secretary of health and environment.

25 (f) The secretary of health and environment may exercise discretion  
26 to make exceptions to requirements in subsections (d) and (e) where  
27 special health needs exist.

28 (g) Each child cared for in a child care facility, including children of  
29 the person maintaining the facility, shall be required to have current such  
30 immunizations as the secretary of health and environment considers  
31 necessary. The person maintaining a child care facility shall maintain a  
32 record of each child's immunizations and shall provide to the secretary of  
33 health and environment such information relating thereto, in accordance  
34 with rules and regulations of the secretary, but the person maintaining a  
35 child care facility shall not have such person's license revoked solely for  
36 the failure to have or to maintain the immunization records required by  
37 this subsection.

38 (h) The immunization requirement of subsection (g) shall not apply if  
39 one of the following is obtained:

40 (1) Certification from a licensed physician stating that the physical  
41 condition of the child is such that immunization would endanger the child's  
42 life or health; or

43 (2) a written statement signed by a parent or guardian that the parent

1 or guardian is an adherent of a religious denomination whose teachings are  
2 opposed to immunizations.

3 *(i) (1) The secretary of health and environment shall develop and*  
4 *provide suitable orientation and training programs at no cost to child care*  
5 *providers and licensees for all positions that are required by the secretary*  
6 *to meet certain orientation and training standards prior to beginning work*  
7 *at a licensed facility or prior to the approval of a license.*

8 *(2) The secretary shall develop and make available suitable training*  
9 *materials at no cost to all child care providers and licensees that are*  
10 *required by the secretary to complete training or any equivalents thereof.*

11 *(3) Any orientation and training completed pursuant to this section*  
12 *shall also count as continuing education hours in the current or next*  
13 *applicable year.*

14 *(4) The secretary and the Kansas children's cabinet shall:*

15 *(A) Develop a reimbursement program for licensees for the cost of*  
16 *sending child care providers to in-person training;*

17 *(B) during the 2026 regular session of the legislature, report the*  
18 *estimated cost for the development of such reimbursement program to the*  
19 *house of representatives committee on commerce, labor and economic*  
20 *development and the senate committee on commerce; and*

21 *(C) seek the necessary funding for any licensed in-home or group-*  
22 *home child care providers that receive a lower tier of reimbursement from*  
23 *the federal government pursuant to 42 U.S.C. § 1766, to be matched with*  
24 *the top tier of funding that is otherwise made available to other providers*  
25 *by 42 U.S.C. § 1766.*

26 Sec. 5. K.S.A. 65-508 is hereby repealed.

27 Sec. 6. This act shall take effect and be in force from and after its  
28 publication in the statute book.