

Office of the Secretary
915 SW Harrison St., 6th Floor
Topeka, KS 66612-1354



Phone: (785) 296-3271
Fax: (785) 296-4685
www.dcf.ks.gov

Phyllis Gilmore, Secretary

Sam Brownback, Governor

July 23, 2012

Testimony of:

Brian K. Dempsey, Deputy Director of Prevention and Protection Services
Department for Children and Families
Topeka, Kansas

presented to:

The Hon. Vicki Schmidt and Honorable Members
of the Joint Committee on Administrative Rules and Regulations:

The Kansas Department of DCF testimony on the proposed amendment for K.A.R. 30-46-10

Chairwoman Schmidt, Vice-Chair Holmes and Honored Members:

Thank you for the opportunity to testify regarding the proposal amending K.A.R. 30-46-10. I am Brian K. Dempsey, Deputy Director of Prevention and Protection Services with the Kansas Department for Children and Families (DCF).

The proposed amendment to K.A.R. 30-46-10 addresses statutory amendments to K.S.A. 38-2202 and recent Office of Administrative Hearing opinions.

Currently, K.A.R. 30-46-10 refers to definition subsections contained in K.S.A. 38-2202 and said K.A.R. references do not align with recently amended K.S.A. subsections. Although K.A.R. 30-46-10 definitions include a provision for amendments to statutory definitions, the Office of Administrative Hearings opines any statutory amendment is specific to the subsection referenced in K.A.R. 30-46-10. For example, the statutory reference for sexual abuse changed from K.S.A. 38-2202(cc) to K.S.A. 38-2202(dd).

The proposed amendment to K.A.R. 30-46-10 removes references to specific subsections of K.S.A. 38-2202, rearranges definition language, and refers to the child facility statute prohibiting persons on the central registry from residing, working, or volunteering in such a facility. There is no substantial change to K.A.R. 30-46-10.

The Kansas Department of DCF respectfully requests approval of the proposed amendment to K.A.R. 30-4-0 in order to continue meeting statutory mandated requirements regarding Kansas children and families.

Thank you

A handwritten signature in black ink, appearing to read "Brian K. Dempsey". The signature is fluid and cursive, with the first name "Brian" and last name "Dempsey" clearly distinguishable.

Brian K. Dempsey

Deputy Director, Prevention and Protection Services