

HOUSE BILL No. 2540

By Committee on Corrections and Juvenile Justice

1-30

1 AN ACT concerning the secretary of corrections; relating to juvenile
2 offenders; facilities; cost study; services and programming;
3 performance measures; payment methodologies.
4

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

6 Section 1. (a) The secretary of corrections shall establish a special
7 class of youth residential center which shall be designated and known as
8 youth residential center III. The secretary shall designate a youth
9 residential center as a youth residential center III if such facility:

10 (1) Is a nonsecure facility which provides 24-hour care for juvenile
11 offenders unrelated to the caregivers;

12 (2) has an average daily population of not less than 25 juvenile
13 offenders; and

14 (3) has at least 15 juvenile offenders in such average daily population
15 who are medium risk or high risk offenders.

16 (b) (1) On or before January 1, 2015, the secretary of corrections
17 shall conduct a cost study to determine the appropriate daily payment rate
18 for an effective and efficient youth residential center III.

19 (2) A highly effective youth residential center III, as determined by
20 performance measures adopted by the secretary pursuant to section 2, and
21 amendments thereto, shall receive a daily payment rate in an amount not
22 less than 90% of the daily payment rate determined by such cost study.
23 Any other youth residential center III shall receive a daily payment rate in
24 an amount not less than 75% of the daily payment rate determined by such
25 cost study.

26 (3) The operators of a youth residential center III shall share in the
27 costs of such program with the state, and shall be responsible for finding
28 efficiencies to lower their costs.

29 Sec. 2. (a) In order to ensure the most effective and efficient juvenile
30 justice services are delivered in Kansas, the secretary of corrections shall
31 establish new and innovative community-based programming as an
32 alternative to residential care for juvenile offenders.

33 (b) In order to improve the effectiveness and efficiency of the
34 residential service system for juvenile offenders and to ensure their
35 criminogenic needs are addressed, the secretary shall establish new
36 standards, performance-based outcomes and payment methodologies for

1 residential services.

2 (c) The secretary, as part of changing any existing program or
3 establishing new programming shall:

4 (1) Establish performance measures and standards for each
5 community-based service, which include admission and discharge criteria
6 and appropriate lengths of service;

7 (2) establish contractual reporting timelines for data to be submitted
8 related to performance measures to be collected from each contracted
9 provider. Data shall be collected not less than quarterly;

10 (3) establish mechanisms for the longitudinal reporting and tracking
11 of youth to determine both short and long term effectiveness of the
12 programs;

13 (4) establish evidence-based practices or cognitive behavioral
14 interventions which may be required to be provided by the program;

15 (5) require the use of an evidence-based screening or assessment tool
16 for youth to be eligible for any service; and

17 (6) establish requirements that are more stringent than the licensing
18 standards used by the department of health and environment to be a
19 contract provider.

20 (d) Performance measures shall have standard definitions which are
21 established by the secretary. Performance measures may include, but not
22 be limited to:

23 (1) Recidivism rates of youth served by the program which are
24 consistent with national best practices;

25 (2) the youth's educational progress or attainment of a high school
26 diploma, general educational development (GED) certificate, or progress
27 in a career or technical education program;

28 (3) measures of safety and welfare of the youth, which may include
29 such things as the number of runaways from the facility, number of
30 substantiated reports of abuse or neglect, number of injuries sustained by
31 youth or staff, or other incidents;

32 (4) measures of the program's engagement in community activities
33 promoting pro-social relationships, such as faith-based programming,
34 opportunities for mentorship, and community service; and

35 (5) any measure determined by the secretary which would
36 demonstrate the efficiency and effectiveness of the program on addressing
37 the needs of juvenile offenders.

38 (e) The secretary shall make public and distribute each contract
39 provider's performance related to performance measures.

40 Sec. 3. (a) In order to promote evidence-based programmatic delivery
41 specifically targeted to meet the needs of juvenile offenders, the secretary
42 of corrections shall establish new payment methodologies and payment
43 rates specific to services for juvenile offenders.

1 (b) The secretary shall create or utilize payment methodologies
2 related to any service which shall include, but not be limited to:

3 (1) Tiered payments for service programs serving moderate to high
4 risk youth;

5 (2) payments tied to performance in relationship to achievement of
6 positive performance measures;

7 (3) incentive payments for positive program outcomes;

8 (4) periodic adjustment of payments based upon performance; and

9 (5) any other payment methodologies the commissioner deems
10 appropriate.

11 (c) The secretary shall create a schedule for changes to payment
12 methodologies or payment rates.

13 Sec. 4. On or before the 30th calendar day of the 2015 legislative
14 session, the secretary of corrections shall report to the house committee on
15 corrections and juvenile justice and the senate committee on judiciary
16 concerning the cost study required by section 1, and amendments thereto,
17 the progress that has been made toward establishing new community based
18 services and performance measures pursuant to section 2, and amendments
19 thereto, and the progress that has been made toward establishing new
20 payment methodologies pursuant to section 3, and amendments thereto.

21 Sec. 5. This act shall take effect and be in force from and after its
22 publication in the statute book.