



Senate Judiciary Committee

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Written Testimony by:

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Secretary

Kansas Department for Children and Families

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Testimony of:

Phyllis Gilmore, Secretary
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Testimony on: SB 158**Chair King, Vice Chair Smith, Ranking Member Haley and Members of the Committee:**

The Kansas Department for Children and Families (DCF) values and appreciates the role foster parents fill in the lives of children who have for various reasons been removed from their home and placed in the custody of the Secretary of DCF. Our mission is to protect children, promote healthy families and encourage personal responsibility. Our primary goal is always to ensure the safety of children in our care, achieve permanency with priority to returning them to their family and promote their well-being. Foster parents provide a stable and safe environment for children while they are temporarily placed out of their home. We appreciate all foster families that provide a safe environment for children in need of care. The ideal foster home consists of a married couple, although we realize this is not always an option.

SB 158, the CARE family program for foster care, establishes a new category/class of foster care family that will be licensed as a "CARE family." DCF strongly supports the idea of providing the best possible foster parents for the children in the custody of the Secretary and supports providing those foster parents with the training and resources they need in this important undertaking. Our agency greatly appreciates the impact of good foster parents on children who have been removed from their homes due to abuse, neglect or other traumatic experiences.

As the proposed language outlines, CARE families must meet certain criteria, most of which is not currently required per statute or Kansas Department of Health and Environment (KDHE) regulations. The selection is based upon the criteria set out in the bill which is unrelated to criteria generally used to establish a different "category" of foster home such as level of care, special needs of child, etc. This would result in a tiered foster parent system which might create unintended consequences. However, being a pilot would allow us the opportunity to assess those consequences. While we generally support compensating foster parents for what they bring into the foster parent and child relationship, this aspect must be fully worked through to avoid any such unintended consequences.

Often, children in foster care will have problematic behaviors due to the abuse and neglect to which they have been subjected in their past. Generally, criteria for a foster family home are based on level of care and focus on the child's needs. This currently serves as the basis for different categories of foster homes such as therapeutic foster homes. In these cases, the therapeutic foster parent has brought additional training and experience into the foster parent and child relationship.

Determination of compliance of the CARE family with certain enumerated criteria must rely upon self-reporting which is not subject to validation. We would suggest that language be included into the bill that would create a system of accountability for families designated to be CARE families. The bill requires that these homes receive compensation "at a rate substantially higher" than that of other foster care homes. DCF is engaged in a current rate structure study as foster homes are to have a consistent base rate with specific add-ons (again, based upon needs of the child and level of care). If this bill were to pass, DCF would need to work with our federal partners through the potential fiscal impact that might result from such passage.

The bill sets forth provisions for when the Secretary may not remove a child from a CARE family placement. Existing Kansas statutes provide for statutory process as to when a child may be removed from a placement and under what circumstances. The Secretary has charge statutorily over children in her custody per statute and should retain authority to protect children in her care, regardless of their placement.

DCF is fully supportive of the goal of offering the best possible foster parents for children in the Secretary's custody. Foster parents play a crucial role in a complicated system set up to ensure that the best interests of children are both fundamental and primary. While specific proposals must be thoroughly vetted, the CARE family program for foster care is a good starting point for further discussion about how to improve the system for the benefit of the children in the Secretary's custody.

DCF is neutral with respect to SB 158. Thank you for the opportunity to submit testimony about this proposed legislation.