

SENATE BILL No. 410

By Committee on Judiciary

2-4

Proposed Amendments to SB 410
Senator Knox
February 18, 2016
Prepared by: Jason Thompson
Office of Revisor of Statutes

1 AN ACT concerning the revised Kansas code for care of children;
2 establishing a CARE family pilot program for foster care; amending
3 K.S.A. 2015 Supp. 38-2218 and repealing the existing section.
4

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

6 New Section 1. (a) The secretary ~~shall~~ establish a ~~special~~ category of
7 foster care to be known as a CARE family. A CARE family may be
8 selected and licensed by the secretary only if the family meets the
9 requirements specified in this section. The secretary shall promulgate rules
10 and regulations to implement the provisions of this section on or before
11 January 1, 2017.

12 (b) A family shall meet the following requirements, and any
13 additional requirements imposed by the secretary, to become licensed as a
14 CARE family:

15 (1) A lawfully married couple in a stable relationship, married for at
16 least seven years;

17 (2) submit to a background check on both spouses;

18 (3) no use of tobacco by anyone inside the family's home;

19 (4) no history of unlawful drug use for the past seven years by anyone
20 currently living in the family's home;

21 (5) no alcoholic liquor or cereal malt beverages in the family's home;

22 (6) both spouses have attained at least a high school diploma or
23 equivalent;

24 (7) at least one spouse does not work outside the home;

25 (8) the family is actively, regularly socially involved in their local
26 community; and

27 (9) provide the secretary at least three references from people familiar
28 with the family.

29 ~~(c) Notwithstanding any law to the contrary, a CARE family's home~~
30 ~~shall not be considered a child care facility and shall not be required to be~~
31 ~~licensed under article 5 of chapter 65 of the Kansas Statutes Annotated,~~
32 ~~and amendments thereto.~~

33 ~~(d)~~ (1) The secretary shall insure that each CARE family is highly
34 trained with respect to child in need of care issues, including legal and
35 mental health concerns. Continuing education and regular meetings with
36 other CARE families ~~shall~~ be used to provide ongoing training and

is authorized to

Strike in line 6

Strike in lines 29-33

Redesignate subsections accordingly

may

1 counseling sessions.

2 (2) The secretary shall insure that each CARE family is supervised to
3 verify that the family is performing well as a CARE family.

4 (3) A CARE family shall serve on a volunteer basis and shall not
5 receive payment or reimbursement for care of any child placed with the
6 family.

7 (e) (1) The secretary shall notify each CARE family that the CARE
8 family has a right to submit a report. Copies of the report shall be available
9 to the parties and interested parties. The report made by the CARE family
10 shall be on a form created and provided by the Kansas department for
11 children and families.

12 (2) Except as otherwise provided by law, in all proceedings under the
13 revised Kansas code for care of children, the court shall require notice to
14 the CARE family and the CARE family shall have the right to be heard.

15 (f) (1) Notwithstanding any other law to the contrary, a CARE family,
16 together with the court and the secretary, shall determine how best to meet
17 the educational needs of any child placed with the family. If a child is not
18 enrolled in a school district by the CARE family, the CARE family shall
19 notify the secretary regarding the school and curriculum being used to
20 educate such child. The secretary shall reimburse the CARE family for
21 educational expenses incurred for each child who is not enrolled in a
22 school district in an amount not to exceed the statewide average state aid
23 per pupil. Such reimbursements shall be paid from the ~~CARE family~~
24 education fund established in this subsection. If sufficient funds are not
25 available for such reimbursements, then the requests for reimbursement
26 shall be considered in the order received when funds are available for such
27 purpose.

28 (2) The secretary shall notify the state board of education of every
29 child not enrolled in a school district by a CARE family. Annually, on or
30 before July 1, beginning on July 1, 2017, the state board of education shall
31 certify to the director of accounts and reports the amount required for
32 CARE family state aid pursuant to this subsection, and an amount equal
33 thereto shall be transferred by the director from the state general fund to
34 the ~~CARE family~~ education fund. All transfers made in accordance with
35 the provisions of this subsection shall be considered to be demand
36 transfers from the state general fund.

37 (3) There is hereby established in the state treasury the ~~CARE family~~
38 education fund to be administered by the secretary. All expenditures from
39 such fund shall be made in accordance with appropriation acts upon
40 warrants of the director of accounts and reports issued pursuant to
41 vouchers approved by the secretary or the secretary's designee. All moneys
42 credited to the ~~CARE family~~ education fund shall be expended to
43 reimburse CARE families for educational expenses incurred for children

actual

juvenile out-of-home placement

juvenile out-of-home placement

juvenile out-of-home placement

juvenile out-of-home placement

actual