

As Further Amended by House Committee

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Session of 2017

House Substitute for SENATE BILL No. 126

By Committee on Children and Seniors

3-23

1 AN ACT establishing the foster care task force.

2

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

4 Section 1. (a) There is hereby established the foster care task force.
5 The task force shall: Review the level of oversight and supervision by the
6 Kansas department for children and families over foster care contractors,
7 including, but not limited to, reports from the division of post audit and the
8 2015 and 2016 special committees on foster care adequacy; and review the
9 duties of those individuals responsible for foster children and other such
10 areas of concern regarding foster care. At the beginning of the 2018
11 regular session of the legislature, the task force shall submit to the
12 president of the senate, the speaker of the house of representatives, the
13 house committee on children and seniors and the senate committee on
14 public health and welfare ~~a recommended corrective action plan~~
15 **improvements** regarding the safety and well-being of the children of the
16 state of Kansas, ~~and that may include proposed changes to current law,~~
17 **rules and regulations and child welfare system processes. The task**
18 **force** shall submit progress reports at the beginning of the regular session
19 of the legislature each year thereafter.

20 (b) The department shall, on request, provide data and information on
21 foster care programs, including, but not limited to:

22 (1) The number of children in foster care;

23 (2) the number of children in foster care who are outside the county
24 of original residence;

25 (3) the average length of stay in foster care before reintegration with
26 the child's parents or placement in a permanent home;

27 (4) foster home licensing and inspection data, including a list of
28 prohibitive offenses for foster home licensure;

29 (5) the annual numbers and types of cases of substantiated and
30 documented maltreatment of foster children and actions taken by the
31 department and its contracting agencies to resolve such cases;

32 (6) foster home ~~alcohol, tobacco and~~ firearm use rules and
33 regulations;

34 (7) the latest quarterly reports from foster care contractors;

1 (8) an annual crossover youth report examining the number of youth
2 exiting home placement who are subsequently adjudicated as juvenile
3 offenders; **and**

4 (9) the number and the types of arrests or convictions, or both, of
5 foster parents;

6 ~~(10) the highest, lowest and average number of days between a child's~~
7 ~~removal from the parental home and adjudication; and~~

8 ~~(11) information on the number of days of school missed per year by~~
9 ~~foster care children, by grade, for grades one through 12.~~

10 (c) The task force shall consist of 18 **voting** members appointed as
11 follows:

12 (1) Two members of the house committee on children and seniors
13 appointed by the speaker of the house of representatives;

14 (2) one member of the house committee on children and seniors
15 appointed by the minority leader of the house of representatives;

16 (3) two members of the senate committee on public health and
17 welfare appointed by the president of the senate;

18 (4) one member of the senate committee on public health and welfare
19 appointed by the minority leader of the senate;

20 (5) ~~two members~~ **one member** of the house of representatives
21 appointed by the speaker of the house of representatives;

22 (6) one member of the house of representatives appointed by the
23 minority leader of the house of representatives;

24 (7) ~~two members~~ **one member** of the senate appointed by the
25 president of the senate;

26 (8) one member of the senate appointed by the minority leader of the
27 senate; and

28 (9) ~~six~~ **eight** members jointly appointed by the speaker of the house
29 of representatives and the president of the senate, as follows:

30 (A) A district-~~court~~ judge who maintains a child in need of care
31 docket;

32 (B) a district magistrate judge appointed or elected to serve a county
33 in Kansas other than Douglas, Johnson, Sedgwick, Shawnee or Wyandotte
34 county;

35 (C) a ~~member of the person certified as a Kansas CASA~~
36 ~~association~~ **court-appointed special advocate**;

37 (D) a social worker licensed by the behavioral sciences regulatory
38 board;

39 (E) a guardian ad litem; ~~and~~

40 (F) a law enforcement officer;

41 (G) **a foster parent who is a representative of a foster parent**
42 **organization; and**

43 (H) **a family law attorney with experience in providing legal**

1 services to parents and grandparents in child in need of care cases.

2 (d) The secretary for children and families and each entity that
3 contracts with the department to provide reintegration, foster care
4 and adoption services shall individually appoint one ex officio non-
5 voting member to the task force to provide information and advice to
6 the task force.

7 (e) (1) Legislative members shall be appointed for terms coinciding
8 with the legislative terms for which such legislative members are elected or
9 appointed.

10 (2) Members jointly appointed by the speaker of the house of
11 representatives and the president of the senate shall be appointed for a
12 term ending on July 1, 2020.

13 (3) **Ex officio members shall be appointed for a term ending on
14 July 1, 2020.**

15 (4) All members appointed to fill vacancies in the membership of the
16 task force and all members appointed to succeed members appointed to
17 membership on the task force shall be appointed in the manner provided
18 for the original appointment of the member succeeded.

19 ~~(e)(f)~~ The members originally appointed as members of the task force
20 shall meet, upon the call of an appointed member designated by the
21 speaker of the house of representatives as the first chairperson, within 30
22 days of the effective date of this act. The **first** vice-chairperson of the task
23 force shall be ~~elected by a quorum of the task force. Annually thereafter,~~
24 ~~the chairperson and vice-chairperson shall be elected by a quorum of the~~
25 ~~task force members~~ **appointed by the president of the senate. The roles**
26 **of chairperson and vice-chairperson shall alternate annually between**
27 **the members appointed by the speaker of the house of representatives**
28 **and the president of the senate.** On and after the effective date of this act,
29 the task force shall meet at least six times a year on the call of the
30 chairperson. Additional meetings may be held on the call of the
31 chairperson when urgent circumstances exist that require such meetings.
32 **Nine Ten voting** members of the task force shall constitute a quorum.

33 ~~(f)(g)~~ If approved by the legislative coordinating council, members of
34 the task force attending meetings authorized by the task force shall receive
35 amounts provided for by K.S.A. 75-3223(e), and amendments thereto.

36 ~~(g)(h)~~ In accordance with K.S.A. 46-1204, and amendments thereto,
37 the legislative coordinating council may provide for such legislative and
38 professional services as may be requested by the task force.

39 ~~(h)(i)~~ The provisions of this section shall expire on July 1, 2020.

40 Sec. 2. This act shall take effect and be in force from and after its
41 publication in the Kansas register.