

As Amended by Senate Committee

Session of 2019

SENATE BILL No. 162

By Committee on Public Health and Welfare

2-13

1 AN ACT concerning children and minors; relating to foster care; requiring
2 notification by a foster care case management contractor and the
3 Kansas department for children and families of certain situations
4 involving children.

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

7 Section 1. (a) As used in this section:

8 (1) "Child in foster care" means a child who is under the age of 18,
9 who has been placed away from the child's parents or guardians, for whom
10 the Kansas department for children and families has legal responsibility
11 for placement and care and for whom case management responsibility has
12 been assigned by the Kansas department for children and families to a case
13 management contractor.

14 (2) "Foster care case management contractor" means an organization
15 that has a contract with the Kansas department for children and families to
16 provide case management and placement services for children for whom
17 the Kansas department for children and families has legal responsibility
18 for placement and care.

19 (b) (1) A foster care case management contractor shall notify the
20 Kansas department for children and families within *a time period*
21 *established by the Kansas department for children and families, not to*
22 *exceed* 24 hours, of any time the contractor knows or has reason to know
23 that a child in foster care for whom case management responsibility has
24 been assigned by the Kansas department for children and families to such
25 contractor that such child has:

26 (A) Gone missing; or

27 (B) spent any overnight period in a facility under the control of the
28 contractor.

29 (2) For any child who is reported missing in accordance with this
30 subsection, the foster care case management contractor shall include in the
31 report:

32 (A) ~~the identity~~ *age and sex* of the child;

33 (B) ~~the location where the child went missing;~~

34 (C) *if a different placement was previously determined to be more*

1 *appropriate for the child but was unavailable for any reason*{;} and
2 *{(D)}* any other information required by the Kansas department for
3 children and families.

4 *(3) For any child who is reported as having spent an overnight*
5 *period in a facility under the control of a contractor in accordance with*
6 *this subsection, the foster care case management contractor shall*
7 *include the reasons why the child spent such overnight period in such*
8 *facility.*

9 *(4) For any child reported in accordance with this subsection, the*
10 *Kansas department for children and families shall add to such report*
11 *which of the top five recommendations, if any, by the child welfare*
12 *system task force have been implemented or addressed by the legislature.*

13 ~~(c) Within 48 hours of receipt of~~ *After receiving* any notice under
14 subsection (b), the Kansas department for children and families shall
15 *notify:*

16 ~~(1) Notify the governor and the legislature of such missing child,~~
17 *within 24 hours of receiving such notice;* and

18 ~~(2) cause such information to be published in~~ *each member of the*
19 *legislature and* the official newspaper of the county where the child went
20 missing or, if the county does not have an official newspaper, then ~~in~~ a
21 newspaper of general circulation in such county, *within 48 hours of*
22 *receiving such notice.*

23 (d) (1) For each day that a foster care case management contractor
24 does not notify the Kansas department for children and families, as
25 required by subsection (b), the Kansas department for children and
26 families shall assess a fine of \$500 against the contractor.

27 (2) The Kansas department for children and families shall remit all
28 moneys received from fines under this section to the state treasurer in
29 accordance with the provisions of K.S.A. 75-4215, and amendments
30 thereto. Upon receipt of each such remittance, the state treasurer shall
31 deposit the entire amount into the state treasury to the state general fund.

32 (e) The Kansas department for children and families shall adopt rules
33 and regulations as necessary to implement and administer this section.

34 Sec. 2. This act shall take effect and be in force from and after its
35 publication in the statute book.