

SENATE BILL No. 85

By Committee on Public Health and Welfare

1-26

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 instance that the contractor knows or has reason to
23 know that a child in foster care for whom case management responsibility
24 has been assigned by the Kansas department for children and families to
25 such 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~~ **location not licensed as a placement for foster youth.**

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 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
35 appropriate for the child but was unavailable for any reason; and

36 (D) any other information required by the Kansas department for

1 children and families.

2 (3) For any child who is reported as having spent an overnight period
3 in a ~~facility under the control of a contractor~~ **location not licensed as a**
4 **placement for foster youth** in accordance with this subsection, the foster
5 care case management contractor shall include the reasons why the child
6 spent such overnight period in such facility.

7 ~~For any child reported in accordance with this subsection, the~~
8 ~~Kansas department for children and families shall add to such report which~~
9 ~~of the top five recommendations, if any, by the child welfare system task~~
10 ~~force have been implemented or addressed by the legislature~~ **The**
11 **department for children and families shall submit an annual report to**
12 **the legislature summarizing data, outcomes and trends related to the**
13 **children reported under this section. This report shall outline efforts**
14 **made by the department to meet the needs of children reported under**
15 **this section and make any recommendations to the legislature to improve**
16 **outcomes for these children.**

17 (c) After receiving any notice under subsection (b), the Kansas
18 department for children and families shall notify:

19 (1) The governor, within 24 hours of receiving such notice; and

20 (2) each member of the legislature and the official newspaper of the
21 county where the child went missing or, if the county does not have an
22 official newspaper, then a newspaper of general circulation in such county,
23 within 48 hours of receiving such notice.

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

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

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

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