

SESSION OF 2022

SUPPLEMENTAL NOTE ON SENATE BILL NO. 12

As Amended by House Committee on Children
and Seniors

Brief*

SB 12, as amended, would require the Kansas Department for Children and Families (DCF) to collaborate with community partners and stakeholders to develop a plan for implementation for a set of performance-based contracts to provide an array of evidence-based prevention and early intervention services for families at risk for an out-of-home placement, families that have a child in out-of-home care, and children who are awaiting adoption.

The bill would require the implementation plan to describe:

- The services that are required to be delivered under any contract in order to assure that providers have the ability to provide adequate, appropriate, and relevant evidence-based services to individual families;
- The outcome measures that will be used to evaluate the effectiveness of provider performance under the contracts;
- The processes in which families will be referred to contracted providers, including the protocols for continued communication or coordination between providers and DCF to ensure child safety and well-being and promote family engagement; and

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- The optimum balance of shared responsibility for child protection and child welfare between DCF and the providers, including a description of the core functions to be performed by each.

The bill would require DCF to consider the capacity for region-wide delivery of prevention and intervention services, including the willingness and ability for community partners and stakeholders to participate in developing the plan by January 31, 2023. The bill would require DCF to determine whether there are existing multidisciplinary work groups engaged in performance improvement or reform efforts.

The bill would require DCF to report to the Governor, the House Committee on Children and Seniors, and the Senate Committee on Public Health and Welfare by January 31, 2023, with a plan to begin implementation on July 1, 2023. The bill would require DCF to provide a status update and recommendations for continued progress to the Governor and Legislature no later than January 31, 2024.

The bill would require DCF to submit a proposal to the Governor and Legislature on or before January 31, 2024, for the reinvestment of savings from reduced foster care caseloads into evidence-based prevention and early intervention programs designed to prevent the need for or reduce the duration of out-of-home placements. The bill would require the proposal to include sufficient detail regarding accounting, budgeting, and allocation of resources or other procedures for legislative consideration and approval.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by Senator Faust-Goudeau.

Senate Committee on Public Health and Welfare

In the Senate Committee hearing, Senator Faust-Goudeau and representatives of Kansas Appleseed Center for Law and Justice and Kansas Family Advisory Network provided **proponent** testimony, stating that performance-based contracts will help provide accountability within the foster care system and ensure that children and families in need are receiving satisfactory care.

Neutral testimony was provided by a representative of DCF, stating that DCF currently includes performance outcomes in its contracts and engages in collaboration with stakeholders and community partners. The representative stated that DCF's Family First Prevention Services Act and Foster Care agreements are grants, and the bill would require those grants to become contracts; the involvement of the Department of Administration would be required in procurement of those contracts.

On February 9, 2022, the Senate Committee made a technical amendment to update dates within the bill.

House Committee on Children and Seniors

In the House Committee hearing, Senator Faust-Goudeau and a representative of Kansas Appleseed Center for Law and Justice provided **proponent** testimony on the bill. A representative of Kansas Family Advisory Network and a private citizen provided written-only proponent testimony. No other testimony was provided.

On March 17, 2022, the House Committee amended the bill to make it effective upon publication in the *Kansas Register*.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, DCF indicates enactment of the bill would have no fiscal effect on the agency. DCF expects that the outcomes established would be consistent with federal outcome requirements; if not, it is possible the agency could be penalized by partial withholding of federal funding.

Department for Children and Families; performance-based contracts; child welfare