

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 47.—Foster Care Licensing

30-47-913. Services for birth families and expectant parents.

Each licensee who provides services to birth families and expectant parents shall meet the requirements of this regulation.

(a) Each licensee shall develop and implement policies and procedures that include the following:

(1) The right of the birth family to select a specific child-placement agency for services, unless the selection is determined by the court or by another oversight agency or entity;

(2) a description of the range of services offered by the child-placement agency for birth families, including the fee schedule for each service;

(3) a prohibition of coercion of the birth parents in their decision-making process for the child;

(4) the birth family's legal rights under current Kansas statutes;

(5) the requirements of the child-placement agency for any birth family counseling, including the topics to be discussed;

(6) the plans for services to be provided to the birth family following the return home of the child from an out-of-home placement or the placement of a child with an adoptive family; and

(7) when adoption is the plan for the child, the following policies and procedures shall be developed:

(A) The process for sharing with the birth parents any information about potential adoptive parents for the child; and

(B) the child-placement agency's policies and procedures on contacts between the birth parents and the adoptive parents of a child.

(b) Each licensee shall have a written agreement with each birth family receiving services from the child-placement agency. The contents of the written agreement shall

include a description of the services to be provided by the child-placement agency, all fee arrangements, and the rights and responsibilities of the parent and of the child-placement agency.

(c) Each licensee shall make referrals to other resources for any services needed by the birth family that are not provided by the child-placement agency. If referrals are made to another agency or resource, the child-placement agency shall contact the other agency or resource as needed to determine if the identified needs of the birth family are being addressed.

(d) Each licensee who provides services to parents or expectant parents considering relinquishing parental rights shall develop and implement policies and procedures for those services. Each licensee shall meet the following requirements:

(1) Each licensee shall ensure that each parent or expectant parent has the information and opportunity needed to explore the complete range of options available in planning for the future of the child.

(2) Each licensee shall provide each parent or expectant parent with the following information in writing:

(A) Information on whether the parent or expectant parent is required to sign a contract or an agreement with the child-placement agency concerning the proposed relinquishment;

(B) the rights of birth parents and expectant parents and the process of relinquishing parental rights, including the process for identifying the biological father and any and all presumed birth fathers of the child and the right to change a decision at any time before the execution of the relinquishment;

(C) the range of services provided by the child-placement agency for birth parents or expectant parents who decide to parent the child, including the child-placement agency's fee policies;

(D) the requirements for parent or expectant parent counseling about decision-making for the child, including the topics to be covered;

(E) the child-placement agency's policies and procedures concerning relinquishment and adoption, including the role of the birth parent or expectant parent in the selection of an adoptive family for the child;

(F) information about the different types of adoption and any continued involvement of the parent with the child once the adoption has been legalized;

(G) information about the range of available adoptive families for the child;

(H) the policy of the child-placement agency on any payments, goods, or services to be given to the parent or expectant parent, including a method for the itemization of payments, goods, or services consistent with applicable adoption law;

(I) any policy or requirement of the child-placement agency that would preclude the child-placement agency accepting a voluntary relinquishment, which may include the following:

(i) A medical condition of the child;

(ii) information needed as required by the Indian Child Welfare Act; and

(iii) the age of the child.

(3) Each licensee shall ensure that a plan for services is developed for each birth parent and each expectant parent receiving services from the child-placement agency. Services shall be based on the physical, emotional, and financial needs and the preferences of the birth parent or expectant parent and the availability of services and resources of the child-placement agency. Services may be provided by the child-placement agency staff or through referral of the birth parent or expectant parent to other community resources and shall include the following:

(A) Discussion of the decision to parent the child or to relinquish parental rights, including the following:

(i) Coping with feelings of grief and loss;

(ii) the reactions of family and friends to the decision to parent or to relinquish parental rights;

(iii) in the case of a decision to relinquish parental rights, concerns related to exchanging information or communicating with the adoptive parent; and

(iv) lifelong implications of the decision, including the possibility of adoption search;

(B) a referral for legal services;

(C) financial assistance if described in the written agreement between the parent or expectant parent and the child-placement agency;

(D) any medical assistance, including transportation, described in the written agreement; and

(E) a plan for follow-up services with the parent after the relinquishment of parental rights. The child-placement agency shall offer follow-up social services and counseling to each parent for at least six months following the relinquishing of parental rights.

(e) Each licensee shall ensure that policies and procedures of the child-placement agency address the additional requirements for providing services to parents or expectant parents who are minors. The policies and procedures shall include the requirements of this regulation, referral for legal counseling independent from the child-placement agency's legal services providers, and additional counseling for the minor parent and the minor parent's family.

(Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective June 7, 2024.)

***** Authenticated Kansas Administrative Regulation *****