

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 47.—Foster Care Licensing

30-47-804. Terms of license; validity of temporary permit or license; renewal license; amendments; exceptions; withdrawal of application or request to close.

(a) Terms of license.

(1) A temporary permit or a license may be granted to an applicant for a maximum of four children in foster care, with a maximum total of six children in the home, including the applicant's or licensee's own children under 16 years of age. There shall be no more than two children in the home under 18 months of age.

(2) Each child in foster care shall be at least five years younger than the youngest applicant or licensee.

(3) The maximum number of children and the age range authorized by the temporary permit or license shall not be exceeded and shall be limited by the following:

(A) The number of sleeping rooms that meet the requirements of these regulations;

(B) the assessment and recommendation of the sponsoring child-placement agency; and

(C) the ability of the applicant or licensee to maintain compliance with the statutes and regulations governing family foster homes.

(4) A license to maintain a family foster home shall not be granted or held in conjunction with any license or certificate authorizing another form of child care in a family foster home.

(5) An applicant or a licensee shall not provide care in the family foster home to any adult unrelated to the applicant or licensee.

(b) Validity of temporary permit or license.

(1) Each temporary permit or license shall be valid only for the individual or individuals and the address specified on the temporary permit or license.

(2) Each temporary permit or license shall be posted in plain view in the family foster home.

(3) When an initial or amended license becomes effective, all temporary permits or licenses previously granted to the applicant or licensee at the same address shall become void.

(c) Renewal of license. Before each renewal date, the licensee shall complete and submit an application for renewal on forms provided by the department, including requests for the background checks specified in K.A.R. 30-47-805.

(d) Amendments. Each licensee who intends to change the terms of the license, including the maximum number or the age of children served, shall submit a request for an amendment on a form supplied by the department.

(e) Exceptions.

(1) Any applicant, permittee, or licensee may request an exception to a specific regulation. Each request shall be submitted to the secretary on a form provided by the department. An exception may be granted if the secretary determines that the exception is in the best interest of a child in foster care and the exception does not violate statutory requirements.

(2) Written notice from the secretary stating the nature of the exception and its duration shall be kept on file in the family foster home and shall be readily accessible to the department, the child-placing agent, the sponsoring child-placement agency, and the Kansas department of corrections.

(f) Relative waiver.

(1) Any relative applicant, relative permittee, or relative licensee may request a relative waiver to a specific nonsafety regulation. Each request shall be submitted to the secretary on a form provided by the department. A relative waiver may be granted if the secretary determines that the waiver is in the best interest of a child in foster care and the waiver does not violate statutory requirements.

(2) Written notice from the secretary stating the nature of the waiver and its duration shall be kept on file in the relative family foster home and shall be readily accessible to the department, the child-placing agent, the sponsoring child-placement agency, and the Kansas department of corrections.

(g) Withdrawal of application or request to close. Any applicant may withdraw the application for a license. Any licensee may submit, at any time, a request to close the

family foster home operated by the licensee. If an application is withdrawn or a family foster home is closed, the current temporary permit or license granted to the applicant or licensee for that family foster home shall become void.

(Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-504 and 65-508; effective June 7, 2024.)

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