

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 47.—Foster Care Licensing

30-47-910. Services for children in out-of-home placement.

Each licensee that sponsors family foster homes shall ensure that the child-placement agency policies and procedures meet the requirements of this regulation. The policies and procedures shall ensure that the services provided are designed to meet each child's needs for health, safety, well-being, and permanency.

(a) Case management services to the child. Each licensee shall ensure that the following services are provided to each child receiving services from the child-placement agency:

- (1) Provisions for emergency placement of the child;
- (2) provisions for alternative care for the child placed in a family foster home;
- (3) oversight to ensure that the services in the case plan are provided to the child and the child's family;
- (4) monitoring of the services and the placement of the child to ensure the child's health, safety, and well-being;
- (5) ongoing assessment of services based on the changing needs of the child;
- (6) implementation of the contacts and visits with the family specified in the child's case plan;
- (7) implementation of the contact and visits with child-placement agency staff members specified in subsection (d);
- (8) provision of any services needed to meet the child's specialized needs identified in the case plan or person-centered service plan, through direct services or through referral to other agencies or resources;
- (9) assurance that each child has, as identified in the child's case plan, access to the courts, contact with parents, the child welfare worker, other professionals and advocates, including contacts by telephone, visits, written correspondence, and electronic correspondence;

(10) assurance that the educational needs of each child are met through the following:

(A) Facilitation of the child's timely enrollment and school attendance in a local school district or, when appropriate, the child's district of residence and facilitation of the child's regular attendance at school or at any place of instruction in accordance with the child's individual education plan; and

(B) providing the placement with the school contact information; and

(11) provision for consultation and assistance to any child if any issues arise that cannot be resolved between the child and the parent or caregiver in order to enhance the communication between the child and the foster family and to resolve issues between them.

(b) Intake and placement activities. Each licensee shall ensure that the child-placement agency policies and procedures meet the requirements of this regulation.

(1) Upon accepting a child for services, each licensee shall take the following actions:

(A) Obtain legal authority for placement and medical consents;

(B) designate a child welfare worker to select and authorize the selection of an initial placement for the child;

(C) identify placement resources for the child, including relatives/family members and nonrelated kin individuals; and

(D) designate a child welfare worker to be responsible for the development and implementation of the case plans for the child.

(c) Placement preparation and agreements. Each licensee shall ensure that written placement, preparation, and agreement policies and procedures are developed for each out-of-home placement. Each licensee shall ensure that each placement of a child complies with all federal and state statutes, regulations, and agreements governing placement of children in out-of-home placements.

(d) Initial and ongoing assessment.

(1) Each licensee shall ensure that an assessment is initiated for each child within 24 hours of acceptance for services and completed not later than 30 days from the date of acceptance. The assessment shall be as detailed as possible and, based on

availability, shall include the child, the birth family, and other involved child-placement agencies.

(2) Each licensee shall ensure that each assessment is updated with any new information annually or as the needs of the child change.

(3) The initial assessment and each ongoing assessment shall be completed by a child welfare worker.

(4) Each assessment shall include the following information, as applicable:

(A) Identifying information, including the child's name, birth date, gender, and social security number;

(B) the child's tribal affiliation, cultural background, ethnic background, and spiritual or religious background;

(C) all behaviors that would impact the selection of an out-of-home placement or an adoptive placement;

(D) based on the child's level of understanding, the child's participation in the assessment, including the following:

(i) The child's understanding of the reason for an out-of-home placement or adoption;

(ii) likes, dislikes, interests, and concerns;

(iii) involvement in sports and school activities;

(iv) participation in spiritual or religious activities; and

(v) the type of family or placement preferred, including location;

(E) the need for the child to remain in the child's current school system;

(F) the need for the child to remain in the child's home community or to be placed in a contiguous community;

(G) the need for continuity of relationships, school, and service providers, based on the case plan;

(H) the specific reasons for removal from the birth family home, for the new out-of-home placement, or adoptive placement;

(I) the names and contact information for birth parents, other birth family members, or the child's guardian;

(J) the birth family structure, including birth order of the child, identifying information on any siblings, and location of any siblings;

(K) the birth family's social history, including strengths and needs;

(L) the role the birth family members are to have during placement of the child, including visitation and other contacts with the child and consideration of the physical distance between the birth family's residence and the location of the child;

(M) court involvement and the child's legal status;

(N) the child's current and previous out-of-home placements and adoptive placements;

(O) the child's medical and dental information, including immunizations, allergies, special dietary requirements, special needs, current medications, contact information for previous and current medical or dental care providers, and the need for continuity of providers in the new placement;

(P) the child's mental health information, including need for mental health services, contact information for previous and current mental health services used by the child or the birth family, and the need for continuity of mental health services providers in the new placement;

(Q) the child's school information, including the individual education plan, if applicable, the child's grade, schools attended, adjustment and achievements in school; and

(R) if the child is entering Kansas from another state or another country for placement, all available information obtained from the agency or entity that previously provided services to the child.

(e) Selection of placement.

(1) Each licensee shall develop and implement policies and procedures for selecting out-of-home or adoptive placements for children.

(2) Each licensee shall select the most appropriate placement for each child consistent with the identified needs of the child and the ability of the out-of-home placement or adoptive placement to meet the child's needs. The following factors shall be considered when selecting each placement for each child:

(A) The strengths and needs of the child, based on the initial assessment and the ongoing assessments of the child;

(B) the case plan goals of the child;

(C) if placement with a family, the composition and strengths of the family, the assessment of the family, and the current recommendation for placement; and

(D) if placement in a residential care facility, the admission criteria and the services provided.

(3) No child shall be placed in a licensed or child-placement agency-approved family foster home if the placement would cause the terms of the license or the approval to be exceeded. Exceptions to exceed the licensed capacity shall be submitted to the department for approval before placement.

(4) Each child who has committed an unlawful sexual act shall be placed in a family home setting after the child's child-placing agent, the sponsoring child-placement agency, and the prospective placement caregiver conduct an assessment to determine the level of supervision required, the ability of the placement caregiver to provide the supervision needed, and the potential sleeping arrangements.

(f) Contact with the child. Each licensee shall ensure that the written policies and procedures of the child-placement agency include requirements for the frequency and location of contact with the child by the assigned child welfare worker or designee. The policies and procedures shall include the following:

(1) After a child is placed in an out-of-home placement, contact shall occur at least one time each month. Each contact shall be in person at the child's placement.

(2) During each monthly in-person contact with the child, the child welfare worker or designee shall assess the health, safety, and well-being of the child and determine progress toward the case plan goals.

(g) Supports and services. When the placement has been selected, the licensee shall ensure that any needed supports and services are provided to the child to maintain the placement. If the placement is in a family home setting, the licensee shall ensure that the family receives any needed supports and services to maintain the placement.

(h) Medical services. Each licensee shall develop and implement policies and procedures to ensure that emergency and ongoing medical care is obtained for each child in an out-of-home placement.

(1) Each licensee shall ensure that each child has a health assessment scheduled within 14 calendar days of the child's first out-of-home placement, unless there is documentation of an assessment completed within the past year. The assessment shall be conducted by a physician with a current license to practice in Kansas or by a nurse with a current license to practice in Kansas who is approved to conduct assessments.

(2) Each licensee shall ensure that the immunizations for each child in an out-of-home placement or an adoptive placement are current as medically appropriate and are maintained current for the protection from diseases specified in K.A.R. 28-1-20. The child-placement agency policies and procedures shall include provision for an exemption from the immunization requirement that includes the following:

(A) written certification from a physician with a license to practice in Kansas stating that the physical condition of the child is such that the immunization would endanger the child's life or health; or

(B) a written statement signed by the child's parent or legal guardian that the parent or guardian is an adherent of a religious denomination whose teachings are opposed to immunizations.

(3) Each licensee shall ensure that emergency medical treatment is available for each child in an out-of-home placement or an adoptive family placement.

(A) Each licensee shall ensure that an original or copy of a medical and surgical consent form is maintained in the case record for each child in an out-of-home or an adoptive family placement.

(B) Each licensee shall provide an original or a copy of a medical and surgical consent form to each out-of-home placement provider or adoptive parent for each child placed with the out-of-home placement provider.

(i) Medication. Each licensee shall ensure that there is a plan for the provision of prescription and nonprescription medication for each child entering any out-of-home placement, to ensure continuity and to prevent any interruption in the administration of medication. For each child taking a prescription medication, each licensee shall ensure

that a three-day supply of each current medication and a written prescription to fill or refill each medication is provided to the out-of-home placement at the time of placement. Each medication shall be in the individual original container and shall be given to the individual taking responsibility for the child.

(j) Dental services. Each licensee shall develop policies and procedures to ensure that emergency and ongoing dental care is obtained for each child in an out-of-home placement. Each child in an out-of-home placement who is 12 months of age or older shall be scheduled for a dental examination within 60 days of the child's first out-of-home placement or adoptive placement, unless there is documentation of an assessment completed within the previous six months.

(k) Placement information. Each licensee shall ensure that written policies and procedures for sharing child-specific information are provided to the foster family, the sponsoring child-placement agency for the family, or the residential care facility. The policies and procedures shall include the following as applicable:

(1) Signed medical and surgical consent forms or, in the case of an after-hours emergency placement, a provision for obtaining medical and surgical consent forms;

(2) a current agreement to place the child;

(3) a description of the circumstances leading to the current placement and the reason the child came into state or child-placement agency custody;

(4) a description of the child's recent circumstances, including all medical problems, mental health concerns, and safety concerns;

(5) information about the child's medication and dietary needs and the name of each of the child's current health care providers, if known;

(6) any allergies from which the child suffers, if known;

(7) the name, address, and telephone number for the last educational program the child attended;

(8) a copy of the court order or other document authorizing the secretary of the department for children and families or the child-placement agent to place the child;

(9) a designation of the race or cultural heritage of the child, including any tribal affiliation;

(10) the name and current contact information for the child's parent or legal guardian;

(11) the spiritual or religious affiliation of the child and the child's family;

(12) the child's placement history summary, including the name, address, and telephone number of any advocates;

(13) a description of positive attributes and characteristics of the child and, if available, related information from the child, the child's family including siblings, and concerned individuals in the child's life;

(14) the name and contact information for the child-placing agent who is responsible for supervising the child's placement; and

(15) a copy of the current case permanency plan.

(l) Mental health services. Each licensee shall develop and implement policies and procedures based on the initial and ongoing assessments of the child to ensure that any emergency and ongoing mental health services are obtained for each child in an out-of-home placement. The selection of a mental health services provider shall include consideration of the need for continuity with the current provider when there is a change in placement of the child.

(m) Documentation. Each licensee shall document the basis of each placement selection and the factors that were considered when selecting the placement.

(n) After-care services. Each licensee shall offer services to the child and the child's family to maintain the family unit.

(1) These services shall be offered for at least six months.

(2) Services shall be offered as follows:

(A) When the child is returned to the birth family after out-of-home placement;

(B) when the child has achieved alternative permanency, including independent living; and

(C) after the legalization or finalization of the adoption of a child occurs.

(3) The offering of the services and any refusal of services shall be documented in the child's case file.

(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 *****