

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 47.—Foster Care Licensing

30-47-807. Reporting requirements for infectious or contagious disease; positive tuberculin test; critical incidents; abuse and neglect.

(a) Reporting infectious or contagious disease. Each licensee shall be responsible for reporting if any resident of the family foster home, including a child in foster care, contracts a reportable infectious or contagious disease specified in K.A.R. 28-1-2, as follows:

(1) Each licensee shall report the disease to the local county health department by the next working day. Each licensee shall follow the protocol recommended by the county health department and shall cooperate with any investigation, disease control, or surveillance procedures initiated by the county health department or the Kansas department of health and environment.

(2) Each licensee shall notify the sponsoring child-placement agency of the incident for each child in foster care.

(b) Hospitalization or emergency room care. If a child in foster care requires hospitalization or emergency room care, the licensee shall immediately notify the child-placing agent and the sponsoring child-placement agency.

(c) Positive tuberculin test. If any individual residing, working, or volunteering in the family foster home who is required to have tuberculin testing has a positive tuberculin test, the licensee shall report the results to the department's tuberculosis (TB) control program by the next working day.

(d) Reporting critical incidents.

(1) Each licensee shall report any of the following critical incidents immediately to the department, the child-placing agent, and the sponsoring child-placement agency:

(A) Any damage to the dwelling or property that affects the structure of the dwelling or the safety of the child in foster care;

(B) the injury of a child in foster care that requires medical treatment by a licensed medical provider; or

(C) the death of a child or any other resident of the family foster home.

(2) Each licensee shall report any of the following critical incidents immediately to the child's child-placing agent and the sponsoring child-placement agency:

(A) A vehicle accident involving any child in foster care;

(B) a missing or runaway child in foster care;

(C) the arrest of a child in foster care;

(D) any incident involving the presence of law enforcement; or

(E) all complaint investigations by the department.

(3) Each licensee shall submit a written report for each critical incident specified in paragraphs (d)(1) and (2) to the child-placing agent and the sponsoring child-placement agency by the next working day. This report shall contain the following information:

(A) The child's name and birth date;

(B) the date and time of the incident;

(C) a factual summary of the incident, including the name of each individual involved;

(D) a factual summary of the immediate action taken, including the name of each individual involved;

(E) the signature of the licensee; and

(F) the date of the report.

(4) A copy of each critical incident report shall be available upon request of the department.

(e) Reporting abuse and neglect.

(1) For the purposes of this subsection, "neglect," "physical, mental or emotional abuse," and "sexual abuse" shall have the meanings specified in K.S.A. 38-2202, and amendments thereto.

(2) Each licensee shall report any suspected neglect, physical, mental or emotional abuse, and sexual abuse of a child in foster care within 24 hours of discovery, by telephone or in writing, to the secretary of the Kansas department for children and families and, when immediate harm is suspected, to the local law enforcement agency.

(3) Each licensee shall notify the sponsoring child-placement agency of suspected neglect, physical, mental or emotional abuse, and sexual abuse of a child in foster care within 24 hours of discovery, by telephone or in writing.

(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 *****