

# **Kansas Administrative Regulations**

## **Kansas Department for Children and Families**

### **Article 47.—Foster Care Licensing**

#### **30-47-119. Restraint.**

(a) Each applicant, each permittee, and each licensee shall establish and implement written policies and procedures that govern the use of restraint. Restraint methods and safety intervention programs shall be preapproved by the secretary. These policies and procedures shall include the following:

(1) Limitations on the use of physical restraint when the behavior of the juvenile is a danger to self or others or directly affects an individual's health, safety and welfare.

(2) permission to use physical restraint only if all other less restrictive methods of controlling the juvenile's dangerous behavior were attempted and failed;

(3) a statement that chemical agents are administered only upon order of a licensed physician;

(4) a statement that psychotropic medications are not to be used for disciplinary reasons; and

(5) a statement that psychotropic medications are to be administered only when medically necessary upon order of the juvenile's licensed physician.

(b) The restraints selected shall be the least restrictive measure necessary to prevent injury to the juvenile or others.

(c) Restraint shall never be used for punishment or for the convenience of staff members.

(d) Each administrative director of a center that uses restraint shall develop and ensure implementation of a comprehensive policy on the use of each restraint. The policy shall identify the following:

(1) The name of the safety intervention program used by the center;

(2) documentation that each staff member authorized to use a restraint has been trained in the safety intervention program used by the center;

(3) the forms of restraint in use at the center, demonstrating that each specified form of restraint is required to appropriately serve juveniles;

(4) specific criteria for the use of each form of restraint;

(5) the staff members authorized to approve the use of each form of restraint;

(6) the staff members authorized and qualified to administer or apply each form of restraint;

(7) the procedures for application or administration of each form of restraint;

(8) the procedures for monitoring any juvenile placed in each form of restraint;

(9) any limitations on the use of each form of restraint, including time limitations;

(10) the procedures for immediate, continual review of restraint placements for each form of restraint, except passive physical restraint; and

(11) procedures for comprehensive recordkeeping concerning all incidents involving the use of restraint, including incidents of passive physical restraint if it is used in conjunction with or leads to the use of any other form of restraint.

(Authorized by K.S.A. 65-536, 75-3084, and 75-3085; implementing K.S.A. 65-504, 65-508, and 65-536; effective June 7, 2024.)

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