Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—Attendant Care Facilities for Children and Youth.

28-4-288. Administration, personnel and records.

(a) Organization. If the facility is operated by a private corporation, the corporation shall be authorized to do business in the state of Kansas.

(b) Administrative policies.

(1) Each facility shall have an organizational chart, and written policies and procedures defining operations and legal responsibilities.

(2) Each policy and procedure shall be distributed to staff members as appropriate.

(3) A KBI/SRS child abuse registry form shall be completed and submitted to the Kansas department of health and environment within two weeks of the time each new person over 10 years of age resides, works or regularly volunteers in the facility, excluding juveniles placed in care.

(c) Finances.

(1) The facility shall have sufficient finances to ensure licensing compliance and effective services.

(2) Juveniles shall not be exploited in campaigns or publicity efforts to raise funds.

(3) Insurance. The facility shall be covered by liability and casualty insurance.

(d) Personnel policies.

(1) Each facility shall have written personnel policies including job descriptions that are approved and reviewed annually by licensing staff.

(2) A personnel record shall be maintained for each attendant and made available to the attendant on written request.

(3) No attendant shall be on duty for more than eight hours.

(e) Staffing.

(1) There shall be an attendant for each juvenile.

(2) Each attendant shall be the same sex as the juvenile.

(3) Exceptions to this regulation may be requested pursuant to K.A.R. 28-4-287.

(f) Staff qualifications.

(1) Attendants shall be qualified by temperament, emotional maturity, sound judgment and an understanding of children.

(2) Each attendant shall:

(A) Be 19 years of age or over;

(B) have a high school diploma or its equivalent; and

(C) have completed a state-approved training program.

(g) The following individual personnel records shall be kept on each attendant:

(1) Job application, including:

(A) Identifying information;

(B) qualifications; and

(C) character and employment references;

(2) record of negative TB test;

(3) a statement signed by attendant that discipline policies have been reviewed and will be followed; and

(4) documentation of state-approved training.

(h) Juvenile records.

(1) A register shall be kept of all juveniles with name, birthdate, reason for custody, dates of admission and release, and names and addresses of parents, legal guardian or legal custodian.

(2) An admission and release form shall be submitted to the Kansas bureau of investigation upon release of a juvenile, on forms supplied by the bureau.

(3) A record shall be kept on each juvenile which shall include:

(A) Identifying information;

(B) arrest record;

(C) record of money and personal property, signed by the juvenile and the attendant;

(D) statement signed by the juvenile that the rules and regulations of the facility have been reviewed; and

(E) health history checklist.

(4) A daily log of each juvenile's behavior shall be maintained with notations regarding special problems while in custody and response of staff to problems.

(5) Each improper disclosure of records or information regarding juveniles shall be grounds for revocation or suspension of the license.

(Authorized by and implementing K.S.A. 65-508; effective, T-28-7-29-88, July 29, 1988; effective Dec. 12, 1988.)

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