Kansas Administrative Regulations

Department of Health and Environment

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

28-4-290. Program.

(a) A written plan and daily routine shall be maintained for all juveniles that shall include supervision, meals, rest and sleep, personal hygiene, physical exercise, work, recreation, visitation and communication.

(b) Supervision.

(1) Each juvenile shall be supervised at all times.

(2) Activities that would interfere with the care of a juvenile shall not be carried out by an attendant while on duty.

(3) Alcohol or non-prescribed controlled substances as defined in K.S.A. 65-4101 and any amendments of it shall not be consumed by any juvenile or attendant while on duty.

(4) Smoking shall be confined to designated smoking areas in the facility.

(c) Food service.

(1) Each juvenile shall receive nutritious meals and snacks at customary times.

(2) Food prepared off premises:

(A) Shall be obtained from sources licensed by the Kansas department of health and environment;

(B) shall be transported in covered containers; and

(C) shall not be allowed to stand.

(3) Food prepared on the premises shall be prepared, served and stored in a sanitary manner.

(4) Only pasteurized milk and government-inspected meat and fowl shall be used. Powdered milk shall be used for cooking only.

(5) Home-canned foods shall not be served in the facility.

(d) Personal hygiene.

(1) Each juvenile shall be allowed to bathe and perform bodily functions as necessary.

(2) Each juvenile shall be provided soap, toothbrush, toothpaste, other personal care items, and clean, individual bath and face towels.

(4) Clothing, if provided, shall be clean and in good condition.

(e) Each juvenile shall have the opportunity for physical exercise. This activity shall be in an area free of hazards, and outdoors if possible.

(f) Work.

(1) Work assignments shall not be used as a substitute for recreation.

(2) Each juvenile shall be prohibited from performing duties including, but not limited to:

(A) Personal services for staff;

(B) cleaning or maintaining areas away from the attendant care facility;

(C) substituting for staff; or

(D) any work defined as hazardous by the Kansas department of human resources governing child labor.

(g) Art and craft supplies, books, current magazines, games and other indoor recreational materials and equipment shall be provided for leisure time activities.

(h) Visitation and communication.

(1) Each facility shall provide juveniles with the opportunity for telephone and visitation contact with parents, legal guardians, and legal representatives.

(2) Written visitation policies shall be available to each juvenile, parent, legal guardian and legal representative.

(3) Each juvenile shall not be denied the right to contact the juvenile's attorney or court counselor.

(i) Discipline.

(1) There shall be a written discipline policy.

(2) Punishment that is humiliating, frightening or physically harmful to the juvenile shall not be used at any time. The juvenile shall be protected against all forms of neglect, exploitation or degrading forms of punishment.

(3) Prohibited forms of punishment shall include:

(A) Corporal punishment;

(B) verbal abuse, threats, or derogatory remarks about the juvenile or the juvenile's family;

(C) binding or tying to restrict movement, or enclosing in a confined space such as a closet, locked room, box, or similar cubicle; or

(D) deprivation of meals.

(4) Juveniles shall be permitted to be appropriately clothed at all times.

(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 *****