

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 47.—Foster Care Licensing

30-47-117. Health care.

(a) Policies and procedures for juvenile health care. Each permittee and each licensee, in consultation with a licensed physician, shall implement written policies and procedures that include provisions for the following:

(1) Completion of a health checklist and review for each juvenile upon admission, including the following:

- (A) Current physical health status, including oral health;
 - (B) all allergies, including medication, food, plant, and animal;
 - (C) all current pain, including cause, onset, duration, and location;
 - (D) preexisting medical conditions;
 - (E) current mood and affect;
 - (F) history and indicators of self-harming behaviors or suicidal tendencies;
 - (G) all infectious or contagious diseases;
 - (H) current immunizations specified in K.A.R. 28-1-20 or an exemption for medical or religious reasons pursuant to K.S.A. 65-508, and amendments thereto;
 - (I) all drug or alcohol use;
 - (J) all current medications;
 - (K) all physical disabilities;
 - (L) all sexually transmitted diseases; and
 - (M) if a female juvenile, menstrual history and any history of pregnancy;
- (2) follow-up health care, including a health assessment and referrals for any concerns identified in the health checklist and review;
- (3) if medically indicated, all required chronic care, convalescent care, and preventive care, including immunizations;
- (4) care for minor illness, including the use and administration of prescription and nonprescription drugs;

(5) care for juveniles under the influence of alcohol or other drugs;

(6) infection-control measures and universal precautions to prevent the spread of blood-borne infectious diseases, including medically indicated isolation; and

(7) maternity care as required by K.A.R. 28-4-279.

(b) Physical health of juveniles. Each permittee and each licensee shall ensure that emergency medical and dental care is obtained for each juvenile by providing timely access to basic, emergency, and specialized medical, mental health, and dental care and treatment services provided by health care providers.

(1) Each permittee and each licensee shall ensure that a health checklist is completed for each juvenile at the time of admission by the staff member who admits the juvenile. The health checklist shall serve as a guide to determine whether a juvenile is in need of medical or dental care and to determine whether the juvenile is using any prescribed medications.

(2) Each permittee and each licensee shall ensure that a licensed physician, a physician's assistant operating under a written protocol as authorized by a responsible physician, or an advanced practice registered nurse is contacted at the time of admission for any juvenile who is taking a prescribed medication to assess the need for continuation of the medication.

(3) Each change of prescription or directions for administering a prescription medication shall be ordered by the authorized medical practitioner with documentation placed in the juvenile's record. Prescription medications shall be administered only to the designated juvenile as ordered by the authorized medical practitioner.

(4) Nonprescription and prescription medication shall be administered only by a designated staff member who has received training on medication administration approved by the secretary. Each administration of medication shall be documented in the juvenile's record with the following information:

(A) The name of the staff member who administered the medication;

(B) the date and time the medication was given;

(C) each change in the juvenile's behavior, response to the medication, or adverse reaction;

(D) each alteration in the administration of the medication from the instructions on the medication label and documentation of the alteration; and

(E) each missed dose of medication and documentation of the reason the dose was missed.

(5) Within 72 hours of each juvenile's admission, an authorized medical practitioner shall review the health checklist and conduct a health assessment.

(6) Each permittee and each licensee shall ensure that a licensed physician, a physician's assistant operating under a written protocol as authorized by a responsible physician, or an advanced practice registered nurse is contacted for each juvenile who has acute symptoms of illness or who has a chronic illness.

(7) Each licensee shall ensure that each resident receives a screening for symptoms of tuberculosis. A Mantoux test, a tuberculin blood assay test, or a chest X-ray shall be required if any of the following occurs:

(A) The resident has a health history or shows symptoms compatible with tuberculosis.

(B) The location of the JCIC is in an area identified by the local health department or the secretary as a high-risk area for tuberculosis exposure.

(C) Significant exposure to an active case of tuberculosis occurs, or symptoms compatible with tuberculosis develop.

(D) If there is a positive reaction to the diagnostic procedures, proof of proper treatment or prophylaxis shall be required. Documentation of the test, X-ray, or treatment results shall be kept on file in the juvenile's health record, and the county health department shall be informed of the results.

(8) Each permittee and each licensee shall ensure that the use of tobacco by any juvenile while in care is prohibited unless nicotine replacement is medically prescribed.

(c) Emergency medical treatment. Each permittee and each licensee shall ensure that the following requirements are met for the emergency medical treatment of each juvenile:

(1) The juvenile's medical record and health assessment forms shall be taken to the emergency room with the juvenile.

(2) A staff member shall accompany the juvenile to emergency care and shall remain with the juvenile while the emergency care is being provided or until the juvenile is admitted. This arrangement shall not compromise the direct supervision of the other juveniles in the center.

(d) Oral health of juveniles. Each permittee and each licensee shall ensure that the following requirements are met for the oral health of juveniles:

(1) Each juvenile shall receive emergency dental care as needed.

(2) A plan shall be developed and implemented for oral health education.

(e) Personal health and hygiene of juveniles. Each permittee and each licensee shall ensure that the following requirements are met for the personal health and hygiene of the juveniles:

(1) Each juvenile shall have access to drinking water, a lavatory, and a toilet.

(2) Each juvenile shall be given the opportunity to bathe upon admission and daily.

(3) Each juvenile shall be provided with toothpaste and an individual toothbrush.

(4) Each juvenile shall be given the opportunity to brush that juvenile's teeth after each meal.

(5) Opportunities shall be available to each juvenile for daily shaving.

(6) Each juvenile's washable clothing shall be changed and laundered at least twice a week. Clean underwear and socks shall be available to each juvenile on a daily basis.

(7) Each female juvenile shall be provided personal hygiene supplies for use during that juvenile's menstrual cycle.

(8) Clean, individual washcloths and bath towels shall be issued to each juvenile at least twice each week.

(9) Each juvenile shall be allowed to have at least eight hours of sleep each night.

(f) Personal health of staff members and volunteers. Each staff member and each volunteer shall meet the following requirements:

(1) Be free from all infectious or contagious disease requiring isolation or quarantine as specified in K.A.R. 28-1-6 and K.S.A. 65-101 and K.S.A. 65-128, and amendments thereto;

(2) be able to perform that individual's essential job functions and not pose a direct threat to the health, safety, or welfare of the juveniles, that individual, or other employees that cannot be eliminated or reduced by reasonable accommodation;

(3) not possess, use, or be under the influence of illegal drugs;

(4) not use or be impaired by alcohol at the center; and

(5) not be impaired by any substance at the center to the extent that it causes the individual to pose a direct threat to the health, safety, or welfare of others.

(g) Each permittee and each licensee shall ensure that tobacco products are not used inside the center. Tobacco products shall not be used by staff members or volunteers in the presence of juveniles.

(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 *****