Kansas Administrative Regulations

Department of Health and Environment

Article 4.—Maternal and Child Health—General Regulations for Categories of Child Care.

28-4-126. Health of individuals at least 16 years of age.

Each applicant with a temporary permit and each licensee shall ensure that the requirements of this regulation are met.

(a) Health requirements.

(1) Each individual caring for children shall be free from any physical, mental, or emotional conditions that prevent the individual's ability to protect the health, safety, and welfare of the children, shall be qualified by temperament and emotional maturity, demonstrate an understanding of children, and shall act with sound judgment.

(2) No individual in contact with children shall be in a state of impaired ability due to the use of alcohol, prescription or nonprescription drugs, or other substances.

(b) Health status forms. Each individual at least 16 years of age who is caring for children shall attest to that individual's health status on a form supplied by the department or approved by the secretary.

(1) The health status form shall indicate if the individual has been exposed to an active case of tuberculosis or has been diagnosed with suspected or confirmed active tuberculosis.

(2) Each individual shall update the health status form annually or more often if there is a change in the health status or if the individual has been exposed to an active case of tuberculosis.

(c) Tuberculosis testing.

(1) Each individual at least 16 years of age who is living, working, or regularly volunteering in the facility shall have a record of a negative tuberculosis test or x-ray obtained not more than two years before the date of employment or initial application for a license or not later than 30 days after the date of employment or initial application.

(2) Compliance with the tuberculosis prevention and control program of the department shall be required following each exposure to active tuberculosis disease.

(d) Records. The health status form shall be recorded on a form provided by the department. The health status form and each tuberculosis test shall be kept in each individual's record at the facility.

(e) In addition to meeting the requirements in K.A.R. 28-4-126(c) and (d), each resident 16 years or older in a residential center or group boarding home shall have a health assessment conducted by a licensed physician, a physician assistant, or by a nurse trained to perform health assessments.

(Authorized by and implementing K.S.A. 2025 Supp. 65-508; effective May 1, 1986; amended Feb. 26, 1990; amended Aug. 2, 2024; amended Sept. 4, 2026.)

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