

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 47.—Foster Care Licensing

30-47-108. Personnel qualifications.

(a) Each individual working or volunteering in a juvenile crisis intervention center shall be qualified by the temperament, emotional maturity, judgment, and understanding of children necessary to maintain the health, comfort, safety, and welfare of the juveniles in placement.

(b) Each staff member performing the duties of more than one position shall meet the minimum qualifications for each position held.

(c) Before employment, the following requirements shall be met:

(1) Each staff member and each volunteer who has contact with any resident shall provide a statement on a form provided by the department from an authorized medical practitioner stating that no physical or mental impairment prevents the individual from providing care for children or would otherwise represent a direct threat to the health, safety, or welfare of others.

(2) Each staff member and each volunteer involved in food preparation or service who will not have contact with any resident shall provide a statement on a form provided by the department from an authorized medical practitioner stating that no physical or mental impairment prevents the individual from preparing or serving food or would otherwise represent a direct threat to the health, safety, or welfare of others.

(3) Each staff member who requires accommodation of a physical or mental impairment to enable the staff member to perform that individual's duties without representing a direct threat to the health, safety, or welfare of others shall provide a statement on a form furnished by the department from an authorized medical practitioner stating that the accommodation specified is sufficient to enable the staff member to perform that individual's duties without representing a direct threat to the health, safety, or welfare of others.

(4) Each staff member and each volunteer shall provide a record of a tuberculosis test or X-ray obtained not more than two years before employment. If there is a positive tuberculosis test or a history of a previous positive tuberculosis test, a chest X-ray shall be required unless there is documentation of a normal chest X-ray within the last 12 months. Proof of recommended treatment, according to the Kansas department of health and environment's tuberculosis prevention and control program's direction, shall be required. Documentation of each tuberculosis test, X-ray, and treatment results shall be kept confidentially and separate from personnel records.

(A) Compliance with the Kansas department of health and environment's tuberculosis prevention and control program shall be required following each exposure to active tuberculosis disease. The results of tuberculosis tests, X-rays, and treatment shall be kept confidentially and separate from personnel records.

(B) Each volunteer shall present documentation showing no active tuberculosis before serving in the center.

(5) If the permittee, the licensee, or the secretary has a reasonable belief, based on objective evidence, that a staff member has a medical condition that will pose a direct threat to the health, safety, or welfare of others, a medical examination shall be requested to determine whether the staff member is fit to perform that individual's job. The permittee or the licensee shall pay all costs associated with the medical examination. The staff member shall not continue to perform that individual's duties unless and until the staff member provides a statement from an authorized medical practitioner on a form provided by the department stating one of the following:

(A) No physical or mental impairment prevents the individual from providing care for children or would otherwise represent a direct threat to the health, safety, or welfare of others.

(B) A specified accommodation of a physical or mental impairment is sufficient to enable the staff member to perform that individual's duties without representing a direct threat to the health, safety, or welfare of others.

(6) Each permittee and each licensee shall keep all statements by an authorized medical practitioner concerning any staff member in relation to that individual's ability or

inability to perform that individual's duties and shall maintain these statements confidentially and separate from personnel records.

(d) Each administrative director shall possess the following:

(1) Knowledge of the principles, practices, methods, and techniques of administration and management;

(2) ability to train, supervise, plan, direct, and evaluate the work of others, as documented by experience, training, or a combination of both;

(3) ability to establish and maintain effective working relationships with others; and

(4) knowledge of principles and techniques of behavioral and mental health treatment and care of juveniles and of the growth, development, needs, and unique problems of juveniles.

(e) Each administrative director shall have at least a bachelor's degree. Each administrative director shall have at least three years of supervisory experience within a child care facility providing treatment to children.

(f) Each clinical director shall be licensed by the Kansas behavioral sciences regulatory board, the Kansas board of nursing, or the Kansas board of healing arts to diagnose and treat mental and behavioral disorders.

(g) Professional consultant services shall be available and shall include licensed physicians, dentists, nurses, clergy, social workers, psychologists, psychiatrists, teachers, dieticians, or others as approved by the secretary.

(h) Each staff member shall maintain current licensure, certification, or registration for that individual's profession.

(i) Each juvenile crisis intervention center shall have a clinical director who is responsible for oversight and implementation of the program.

(j) Each direct care staff member shall meet the following requirements:

(1) Be 21 years of age or older; and

(2) have a high school diploma or equivalent and have completed one of the following:

(A) two years of experience supervising children or juveniles in a child care facility;

or

(B) 45 clock-hours of documented training in child care, child development, psychology, or a related field before assuming independent supervision duties over the juveniles.

(k)(1) Auxiliary staff members shall be available as needed for the operation of the juvenile crisis intervention center and the provision of services to juveniles.

(2) No auxiliary staff member shall be included in meeting the minimum ratio of direct care staff members to juveniles. Only direct care staff members shall be responsible for direct supervision of the juveniles.

(l) Each auxiliary staff member working in food service shall demonstrate compliance with all the following requirements through ongoing job performance:

- (1) Knowledge of the nutritional needs of juveniles;
- (2) understanding of quantity food preparation and service;
- (3) sanitary food handling and storage methods;
- (4) understanding of individual, cultural, and religious food preferences.

(Authorized by K.S.A. 65-101, 65-128, 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 *****