

Kansas Administrative Regulations

Kansas Department for Children and Families

Article 47.—Foster Care Licensing

30-47-820. General environmental requirements.

Each licensee shall ensure that all of the requirements in this regulation are met.

(a) Local requirements. Each family foster home shall meet the legal requirements of the community as to zoning, fire protection, water supply, sewage disposal, and trash and recycling disposal.

(b) Use of private water supply. If a private water system is used, the system shall meet the requirements in K.A.R. 28-4-50. The water supply shall be safe for human consumption. Testing of the water supply shall be completed at the time of initial licensing and annually thereafter to document the nitrate and bacteria levels. Additional testing may be required if there is a change in environmental conditions that could affect the integrity of the water supply. Commercially bottled drinking water shall be used for children in foster care until a laboratory test confirms that the water is safe for human consumption.

(c) Structural and furnishing requirements. Each family foster home shall be constructed, arranged, and maintained to provide for the health, safety, and welfare of all occupants and shall meet the following requirements:

(1) The home shall contain sufficient furnishings and equipment to accommodate all residents of the home and each child in foster care. The home shall include an operating kitchen with a sink, refrigerator, stove, and oven and at least one operable bathroom with one sink, one flush toilet, and one tub or shower.

(2) Each interior and exterior stairway with three or more stairs and a landing shall have a handrail.

(3) Each interior and exterior stairway and landing shall be guarded on each side if there is a drop-off of more than 30 inches from the stairs or landing to the floor or ground.

(4) If any interior or exterior stairway is guarded by balusters and the family foster home is or is intended to be licensed for children in foster care less than six years of age, the space between balusters shall not exceed four inches.

(5) When a child in foster care less than two years of age is present, each stairway with two or more stairs and a landing shall be gated to prevent unsupervised access by the child. Gates used at the top of stairways shall be securely attached. Accordion gates shall be prohibited throughout the premises.

(6) If the family foster home is or intends to become licensed for children in foster care less than six years of age, each electrical outlet shall be covered or tamper-resistant.

(7) Water temperature shall be maintained to ensure the health and safety of children in foster care.

(8) Each bathroom shall have a door that affords privacy to the occupant and can be opened from each side without the use of a key in case of an emergency.

(9) A working telephone shall be on the premises and available for use at all times.

(10) Emergency telephone numbers shall be posted in plain view for the police, fire department, ambulance, hospital, and poison control center.

(11) A working smoke detector shall be centrally installed on each level of the home and in each room used for sleeping by a child in foster care and by the licensee.

(12) One working carbon monoxide detector shall be installed according to the manufacturer's instructions on each level of the home and adjacent to sleeping areas.

(13) One operable fire extinguisher shall be readily available.

(14) First aid supplies shall be readily accessible.

(d) Cleanliness. The interior of the family foster home shall be free from accumulation of visible dirt, any evidence of vermin infestation, and any objects or materials that could impact the health, safety, or welfare of all occupants of the home.

(e) Lighting and ventilation.

(1) All rooms used for living space shall be lighted, vented, heated, and plumbed pursuant to K.S.A. 65-508 and amendments thereto.

(2) Each window and door used for ventilation shall be screened to minimize the entry of insects.

(f) Firearms and other weapons.

(1) Each licensee shall ensure that all firearms, including air-powered guns, BB guns, pellet guns, and paint ball guns, are stored unloaded in a locked container, closet, or cabinet and are inaccessible to children. If the locked container, closet, or cabinet is constructed in whole or in part of glass or acrylic material, each firearm shall be additionally secured with a hammer lock, barrel lock, or trigger lock.

(2) Ammunition shall be kept in a separate locked storage container or locked compartment designed for that purpose, and inaccessible to children.

(3) All archery equipment, hunting and fishing knives, and other weapons shall be kept in a locked storage compartment and inaccessible to children.

(g) Storage of household chemicals, personal care products, tools, and sharp instruments. The following requirements shall apply when a child in foster care is in the family foster home:

(1) All household cleaning supplies, chemicals, and hazardous materials that have warning labels advising the consumer to keep out of the reach of children shall be kept in locked storage or stored out of reach of children less than six years of age.

(2) Sharp instruments shall be stored to prevent access by children less than six years of age.

(3) Tobacco, tobacco products, nicotine-based fluids, electronic or lighted cigarettes, vaporizers, alcohol, lighters, and matches shall be stored out of reach of children.

(h) Heating appliances.

(1) Each heating appliance using combustible fuel, including a wood-burning stove or a fireplace, shall be vented to the outside.

(2) Each fireplace and each freestanding heating appliance using combustible fuel, including a wood-burning stove, shall stand on a noncombustible material according to the manufacturer's specifications, Kansas state statutes and regulations, and local ordinances.

(3) If a child in foster care less than three years of age is in the family foster home, a protective barrier shall be provided for each fireplace and each freestanding heating appliance as necessary to protect from burns.

(i) Play space. Each family foster home shall have a space for indoor play and access to an outdoor play space.

(j) Mobile home requirements. In addition to the other requirements specified in this regulation, if the family foster home is a mobile home, both of the following requirements shall be met:

(1) The mobile home shall have two exits that are located at least 20 feet apart, with one exit within 35 feet of each bedroom door.

(2) Each mobile home shall be skirted with latticed or solid skirting and securely anchored by cable to the ground.

(k) Special inspections. A special inspection of the family foster home by a fire, health, sanitation, or safety official may be required by the secretary or the sponsoring child-placement agency to assist in making a decision about the safety of the family foster home for a child in foster care.

(Authorized by K.S.A. 65-508, 75-3084, and 75-3085; implementing K.S.A. 65-508; effective June 7, 2024.)

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