

## HOUSE BILL No. 2240

By Committee on Child Welfare and Foster Care

1-31

1 AN ACT concerning the department for children and families; relating to  
2 qualified residential treatment programs; requiring the clerk of the  
3 district court to give notice of placement; amending K.S.A. 38-2291  
4 and repealing the existing section.  
5

6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. K.S.A. 38-2291 is hereby amended to read as follows: 38-  
8 2291. (a) Whenever a child is placed in a qualified residential treatment  
9 program, the secretary shall notify the court in writing within seven days  
10 of placement. *The clerk of the district court shall give* written notice ~~shall~~  
11 ~~also be given~~ to: (1) The petitioner; (2) the attorney for the parents, if any;  
12 (3) each parent at the last known address; (4) the child, if 12 or more years  
13 of age; (5) the child's guardian ad litem; (6) any other party or interested  
14 party; and (7) the child's court-appointed special advocate.

15 (b) Within 30 days after a child is placed in a qualified residential  
16 treatment program, any person enumerated in subsection (a)(1) through (7)  
17 receiving notice as provided above may request, in writing, that the court  
18 conduct a hearing. If a hearing is requested, the court shall conduct the  
19 hearing within 60 days of placement. The court shall give notice of the  
20 hearing to all persons enumerated in subsection (a)(1) through (7).

21 (c) The secretary shall provide to the court in writing an assessment  
22 and documentation of the need for placement in a qualified residential  
23 treatment program.

24 (d) Within 60 days after a child is placed in a qualified residential  
25 treatment program, the court shall:

26 (1) Consider the assessment and documentation provided by the  
27 secretary pursuant to subsection (c);

28 (2) determine whether the needs of the child can be met through  
29 placement in a foster family home or, if not, whether placement of the  
30 child in a qualified residential treatment program provides the most  
31 effective and appropriate level of care for the child in the least restrictive  
32 environment and whether that placement is consistent with the short-term  
33 and long-term goals for the child as specified in the permanency plan for  
34 the child; and

35 (3) approve or disapprove the placement.

36 (e) This section shall be a part of and supplemental to the revised

1 Kansas code for care of children.

2 Sec. 2. K.S.A. 38-2291 is hereby repealed.

3 Sec. 3. This act shall take effect and be in force from and after its

4 publication in the statute book.