SENATE BILL No. 162

By Committee on Public Health and Welfare

AN ACT concerning children and minors; relating to foster care; requiring notification by a foster care case management contractor and the Kansas department for children and families of certain situations involving children.

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

Section 1. (a) As used in this section:

(1) "Child in foster care" means a child who is under the age of 18, who has been placed away from the child's parents or guardians, for whom the Kansas department for children and families has legal responsibility for placement and care and for whom case management responsibility has been assigned by the Kansas department for children and families to a case management contractor.

(2) "Foster care case management contractor" means an organization that has a contract with the Kansas department for children and families to provide case management and placement services for children for whom the Kansas department for children and families has legal responsibility for placement and care.

(b) (1) A foster care case management contractor shall notify the Kansas department for children and families within 24 hours of any time the contractor knows or has reason to know that a child in foster care for whom case management responsibility has been assigned by the Kansas department for children and families to such contractor that such child has:

(A) Gone missing; or

(B) spent any overnight period in a facility under the control of the contractor.

(2) For any child who is reported missing in accordance with this subsection, the foster care case management contractor shall include in the report the identity of the child, the location where the child went missing and any other information required by the Kansas department for children and families.

(c) Within 48 hours of receipt of any notice under subsection (b), the Kansas department for children and families shall:

(1) Notify the governor and the legislature of such missing child; and

(2) cause such information to be published in the official newspaper of the county where the child went missing or, if the county does not have
an official newspaper, then in a newspaper of general circulation in such
county.

(d) (1) For each day that a foster care case management contractor
does not notify the Kansas department for children and families, as
required by subsection (b), the Kansas department for children and
families shall assess a fine of $500 against the contractor.

(2) The Kansas department for children and families shall remit all
moneys received from fines under this section to the state treasurer in
accordance with the provisions of K.S.A. 75-4215, and amendments
thereto. Upon receipt of each such remittance, the state treasurer shall
deposit the entire amount into the state treasury to the state general fund.

(e) The Kansas department for children and families shall adopt rules
and regulations as necessary to implement and administer this section.

Sec. 2. This act shall take effect and be in force from and after its
publication in the statute book.