As Amended by Senate Committee

Session of 2019

SENATE BILL No. 162

By Committee on Public Health and Welfare

2-13

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 a time period established by the Kansas department for children and families, not to exceed 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, age and sex of the child, the location where the child went missing, if a different placement was previously determined to be more appropriate for the child but was unavailable for any reason and any other information required by the Kansas department for children and families.

(3) For any child who is reported as having spent an overnight
period in a facility under the control of a contractor in accordance with
this subsection, the foster care case management contractor shall
include the reasons why the child spent such overnight period in such
facility.

(4) For any child reported in accordance with this subsection, the
Kansas department for children and families shall add to such report
which of the top five recommendations, if any, by the child welfare
system task force have been implemented or addressed by the legislature.

(c) Within 48 hours of receipt of any notice under
subsection (b), the Kansas department for children and families shall
notify:
(1) Notify the governor and the legislature of such missing child,
within 24 hours of receiving such notice; and
(2) cause such information to be published in each member of the
legislature and 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, within 48 hours of
receiving such notice.

(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.