



Senate Committee on Judiciary

February 11, 2016

Testimony on:

SB 315

Presented by:

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Kansas Department for Children and Families

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Testimony of:

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Topeka, Kansas

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Chairman King, Vice Chair Smith, Ranking Member Haley and Members of the Committee:

I am Kathy Armstrong, Assistant Director for Legal Services, Prevention and Protection Services, Kansas Department for Children and Families (DCF). Thank you for this opportunity to provide testimony regarding SB 315.

Regulations that apply to licensure of foster family homes already embody some of the language set forth in this bill. There are restrictions to the number of children in one home per the applicable regulations, but the regulations allow for exceptions. The granting of an exception is considered after reviewing numerous factors and the particular facts and circumstances of a situation.

Placement preference for children who are in DCF custody, pursuant to State and federal laws and regulations and consistent with best practices, is with relatives/siblings whenever possible. Pursuant to the federal law, Preventing Sex Trafficking and Strengthening Families Act, enacted on Sept. 29, 2014, "sibling" includes all previously-adopted siblings of a child. The current regulation allows for the flexibility to keep sibling groups together, if it is deemed to be in the best interests of the child. The proposed bill will effectively limit the ability to place larger sibling groups in the same foster home without the exceptions allowed by current regulations. Per this bill as written, when a larger sibling group needs placement, a split of the siblings would be mandatory if the foster parents have the statutorily-limited number of children, which includes their biological children, already in their home. A sibling split can sometimes further traumatize children. The mandate does not take into account the fact that the foster home may have sufficient physical accommodations and resources to support the sibling group in need of placement.

The only exception allowed for in the proposed bill states that the number limits may be temporarily waived "in order to place a foster child in emergency foster care not to exceed 30 days in the care of an applicant or licensee." This is a narrow exception and could encourage short-term temporary or emergency placements only. If a child is then moved again after the expiration of 30 days, the result could be an increase in number

of moves for short durations, which negatively impacts placement stability and could further traumatize children.

The goal of limiting the number of moves, as required by law and consistent with best practices, could be undermined by this type of statutory provision. The 30-day emergency placement is unnecessary for placement with relatives, as they are not required to be licensed. Such emergency placement is unnecessary for placement with non-related kin or other suitable placement for up to 90 days, per current regulations.

DCF is neutral with respect to SB 315. Thank you for the opportunity to provide testimony before the Committee today.