

House Substitute for SENATE BILL No. 126

AN ACT establishing the child welfare system task force; concerning the study of the child welfare system in the state of Kansas; report to the legislature.

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

Section 1. (a) The secretary for children and families shall establish a child welfare system task force to study the child welfare system in the state of Kansas. The Kansas department for children and families shall provide administrative assistance to facilitate organization and meetings of any working group convened by the task force. The department shall provide assistance to working groups to prepare and publish meeting agendas, public notices, meeting minutes and any research, data or information requested by a working group.

(b) The child welfare system task force shall consist of the following members, each to be appointed by the respective appointing authority on or before July 15, 2017:

(1) The chairperson of the senate standing committee on public health and welfare;

(2) the vice-chairperson of the senate standing committee on public health and welfare;

(3) the ranking minority member of the senate standing committee on public health and welfare;

(4) the chairperson of the house standing committee on children and seniors;

(5) the vice-chairperson of the house standing committee on children and seniors;

(6) the ranking minority member of the house standing committee on children and seniors;

(7) the secretary for children and families or the secretary's designee, who shall be a non-voting member;

(8) the director of prevention and protection services for the Kansas department for children and families, who shall be a non-voting member;

(9) one representative from each entity that contracts with the Kansas department for children and families to provide foster care, family preservation, reintegration and permanency placement services, appointed by each such entity, each of whom shall be a non-voting member;

(10) one member appointed by the chief justice of the supreme court;

(11) one representative of Kansas court-appointed special advocates, appointed by the chief justice of the supreme court;

(12) one member of a citizen review board established pursuant to the revised Kansas code for care of children, appointed by the chief justice of the supreme court;

(13) one member representing a foster parent organization, appointed by the judicial council;

(14) one guardian ad litem with experience representing children in child in need of care cases, appointed by the judicial council;

(15) one family law attorney with experience providing legal services to parents and grandparents in child in need of care cases, appointed by the judicial council;

(16) one social worker licensed by the behavioral sciences regulatory board, appointed by the judicial council;

(17) one member of the state child death review board established by K.S.A. 22a-243, and amendments thereto, appointed by the board;

(18) one county or district attorney with experience in child in need of care cases, appointed by the Kansas county and district attorneys association; and

(19) one law enforcement officer, appointed by the Kansas association of chiefs of police.

(c) (1) The chairperson of the house standing committee on children and seniors shall serve as the first chairperson of the child welfare system task force and the chairperson of the senate standing committee on public health and welfare shall serve as the first vice-chairperson of the task force. The position of chairperson and vice-chairperson shall alternate annually upon the first meeting of the task force in each calendar year.

(2) The child welfare system task force may meet in an open meeting at any time and at any place within the state of Kansas upon the call of the chairperson. The task force shall meet at least six times per calendar year.

(3) A majority of the voting members of the child welfare system task

force constitute a quorum. Any action by the task force shall be by motion adopted by a majority of voting members present when there is a quorum.

(4) Any vacancy on the child welfare system task force shall be filled by appointment in the manner prescribed in this section for the original appointment.

(d) (1) The child welfare system task force shall convene working groups to study the following topics: The general administration of child welfare by the Kansas department for children and families; protective services; family preservation; reintegration; foster care; and permanency placement.

(2) On or before August 15, 2017, the chairperson and vice-chairperson of the child welfare system task force and the ranking minority members appointed under subsections (b)(3) and (b)(6) shall jointly appoint the chairperson and vice-chairperson of each working group from the members of the task force. The chairperson and vice-chairperson of each working group shall jointly appoint members to the working group, each working group consisting of not more than seven non-task force members and not fewer than two task force members. Any non-task force member appointed to a working group shall possess specific expertise related to the working group's assigned topic of study.

(e) The child welfare system task force and each working group convened by the task force shall study the following topics:

(1) The level of oversight and supervision by the Kansas department for children and families over each entity that contracts with the Kansas department for children and families to provide reintegration, foster care and adoption services;

(2) the duties, responsibilities and contributions of state agencies, nongovernmental entities and service providers that provide child welfare services in the state of Kansas;

(3) the level of access to child welfare services, including, but not limited to, health and mental health services and community-based services, in the state of Kansas;

(4) the increasing number of children in the child welfare system and contributing factors;

(5) the licensing standards for case managers working in the child welfare system; and

(6) any other topic the child welfare system task force or working group deems necessary or appropriate.

(f) The child welfare system task force and each working group convened by the task force shall consider, at a minimum, United States department of health and human services child and family services reviews and child and family services plans and reports relating to foster care prepared by the division of post audit, the 2015 special committee on foster care adequacy and the 2016 special committee on foster care adequacy.

(g) The child welfare system task force shall advise and consult with citizen review boards established pursuant to the revised Kansas code for care of children in conducting the study required by this section.

(h) The Kansas department for children and families shall, upon request by the child welfare system task force, provide data and information relating to the child welfare system in the state of Kansas that is not otherwise prohibited or restricted from disclosure by state or federal law, including conditions imposed by federal law or rules and regulations for participation in federal programs administered by the secretary for children and families.

(i) The child welfare system task force shall submit a preliminary progress report to the legislature detailing the task force's study under this section on or before January 8, 2018, and a final report to the legislature detailing the task force's study on or before January 14, 2019.

(j) The child welfare system task force's report shall include recommended improvements regarding the safety and well-being of children in the child welfare system in the state of Kansas, including recommended changes to current law, rules and regulations and child welfare system processes, whether an ongoing task force or similar advisory or oversight entity consisting of legislators, attorneys in the area of family law, judges, foster parents, parents with reintegrated children and other interested parties would aid in addressing child welfare system concerns and any other topics the child welfare system task force deems appropriate.

(k) Staff of the office of revisor of statutes, the legislative research department and the division of legislative administrative services shall provide assistance as may be requested by the child welfare system task force, including assistance to a legislative task force member serving on a working group, subject to approval by the legislative coordinating council.

(l) (1) Subject to approval by the legislative coordinating council, members of the child welfare system task force attending meetings authorized by the task force shall be paid amounts provided in K.S.A. 75-3223(e), and amendments thereto, except that task force members who are employed by a state agency shall be reimbursed by such state agency.

(2) Non-task force members of working groups convened by the child welfare system task force attending meetings of such working groups shall be paid by the Kansas department for children and families amounts provided in K.S.A. 75-3223(e), and amendments thereto, except that non-task force members who are employed by a state agency shall be reimbursed by such state agency.

(m) The provisions of this section shall expire on June 30, 2019.

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

I hereby certify that the above BILL originated in the SENATE, and passed that body

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SENATE adopted

Conference Committee Report \_\_\_\_\_

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*President of the Senate.*

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*Secretary of the Senate.*

Passed the HOUSE

as amended \_\_\_\_\_

HOUSE adopted

Conference Committee Report \_\_\_\_\_

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*Speaker of the House.*

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*Chief Clerk of the House.*

APPROVED \_\_\_\_\_

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*Governor.*