

February 19, 2014

The Honorable Jeff King, Chairperson
Senate Committee on Judiciary
Statehouse, Room 341-E
Topeka, Kansas 66612

Dear Senator King:

SUBJECT: Fiscal Note for SB 394 by Senate Committee on Assessment and Taxation

In accordance with KSA 75-3715a, the following fiscal note concerning SB 394 is respectfully submitted to your committee.

SB 394 would establish the Kansas Foster Parents' Bill of Rights Act. The foster parent bill of rights would require the Department for Children and Families to treat foster parents with respect and as partners, provide foster parents with more training, share pertinent and confidential information about the child, provide the foster parent with more voice during the decision to place the child with the foster parent, include the foster parent in meetings concerning court hearings and licensure status, provide appropriate respite care, allow foster parents to share the child's information with those involved with the case, inform foster parents of the child's progress following foster care, allow the foster parent to contest the removal of a child from the foster home, and allow a foster parent preference for placement if the parent has cared for the child previously.

The bill would establish the State Foster Care and Adoption Board. The purpose of the board would be to provide consultation and assistance to the agency and to provide an independent review of the department's foster care policies and procedures. The board would comprise at least eight members who are foster parents or adoptive parents. The board would operate independently of the Department for Children and Families, the Department of Health and Environment, and their contractors.

SB 394 would redefine family foster care home as a child care facility that is a private residence providing care 24 hours a day for one or more children and licensed by the Department of Health and Environment. The bill would expand the disclosure of confidential information to foster parents and allow them to exchange information during a child in need of care investigation and allowing them access to confidential information.

Under current law, the Department for Children and Families (DCF) must provide a 30-day notice to the court and certain parties, including the foster parent, when moving a child who has lived in a foster home or shelter facility for at least six months. A notice is not required when the child is moved to a pre-adoptive family. The bill would change the placement threshold to three months and require a notice when the child is moved to a pre-adoptive family.

Current law requires DCF to provide an explanation to the court when a child is removed from placement with a parent after six months. The bill would apply this requirement to emergency removals from foster home placements.

Currently, the court must give first preference to relatives and second preference to a person with whom the child has close emotional ties. SB 394 would give first preference to a relative to the third degree, to include the adoptive parents of previously born siblings. Second preference would be given to a person with whom the child has close emotional ties, with preference to a foster parent who has had physical custody of the child for six months or longer.

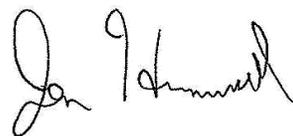
Estimated State Fiscal Effect				
	FY 2014 SGF	FY 2014 All Funds	FY 2015 SGF	FY 2015 All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$66,559	\$68,752
FTE Pos.	--	--	--	1.00

DCF states that new expenditures will be required to support the newly created State Foster Care and Adoption Board. The board is assumed to have eight members who meet quarterly. In addition, it is assumed that DCF will pay for per diem costs, lodging, mileage and meeting costs. DCF estimates that the annual cost of the quarterly meetings would be \$10,016 from the State General Fund. The bill would require DCF to increase foster parent training in areas such as regular training, pre-service training, training on DCF policies and procedures, and training on the cultural needs of children. A Staff Development Specialist I position is estimated to satisfy the higher training requirements at a cost of \$55,106 in salaries and \$3,630 in other operating costs. These additional expenditures are included in the table above.

In addition, SB 394 would require that family foster parents be provided reasonable access to respite care. However, the bill does not set a standard for the appropriate level of respite care. One additional day per month of respite care would cost approximately \$2.5 million each year. These expenditures are not included in the table above.

The Office of Judicial Administration states that SB 394 would have no fiscal effect on the Judicial Branch. Any fiscal effect associated with SB 394 is not reflected in *The FY 2015 Governor's Budget Report*.

Sincerely,



Jon Hummell,
Interim Director of the Budget

cc: Mary Rinehart, Judiciary
Jackie Aubert, DCF