

HOUSE BILL No. 2754

By Committee on Federal and State Affairs

2-20

1 AN ACT concerning children and minors; establishing the guardianship
2 assistance program; providing for financial assistance to kinship care
3 providers; relating to powers, duties and functions of the Kansas
4 department for children and families.

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

7 Section 1. (a) There is hereby established the guardianship assistance
8 program to be administered by the secretary for children and families,
9 subject to the availability of appropriations. The guardianship assistance
10 program shall provide monthly financial assistance benefits to individuals
11 who enter into guardianship assistance program agreements.

12 (b) The Kansas department for children and families shall enter into a
13 guardianship assistance program agreement with any kinship care
14 provider, as "kinship care" is defined in K.S.A. 2017 Supp. 38-2202, and
15 amendments thereto. Any such agreement shall be subject to any
16 requirements imposed by federal law, including, but not limited to, title IV-
17 E of the social security act and the fostering connections to success and
18 increasing adoptions act of 2008, public law 110-351.

19 (c) The secretary shall set the maximum monthly amount of
20 guardianship assistance program benefits not to exceed the amount of
21 monthly financial assistance paid to foster care homes, as administered by
22 the Kansas department for children and families under title IV-E of the
23 social security act.

24 (d) A guardianship assistance program agreement shall provide for
25 reimbursement of nonrecurring expenses that a kinship care provider
26 incurs in obtaining a permanency goal, as defined in K.S.A. 2017 Supp.
27 38-2202, and amendments thereto, for a child with the kinship care
28 provider, including reasonable attorney fees and court costs, except that
29 reimbursement under this subsection shall not exceed an aggregate amount
30 of \$2,000 for a kinship care provider.

31 (e) (1) Except as provided in paragraph (2), a kinship care provider
32 shall be eligible for guardianship assistance program benefits until the end
33 of the month when the child turns 18 years of age.

34 (2) Eligibility for guardianship assistance program benefits shall
35 extend until the end of the month when the child turns 21 years of age, if
36 the guardianship assistance program agreement was executed after the

1 child's 16th birthday and if the child is:

2 (A) Regularly attending high school or enrolled in a program leading
3 towards a high school diploma or a general educational development
4 credential;

5 (B) regularly attending a state educational institution, municipal
6 university, community college, technical college or institute of technology,
7 as those terms are defined in K.S.A. 74-3201b, and amendments thereto;

8 (C) participating in a program or activity that promotes, or removes
9 barriers to, employment;

10 (D) employed for at least 80 hours per month; or

11 (E) incapable of participating in any of the activities described in
12 subparagraphs (A) through (D) due to a documented medical condition.

13 (f) The secretary for children and families shall adopt rules and
14 regulations as may be necessary to implement and administer this section.
15 Such rules and regulations shall, at a minimum:

16 (1) Establish eligibility requirements to receive guardianship
17 assistance program benefits under this section; and

18 (2) ensure that the program conforms to requirements imposed by
19 federal law.

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