

HOUSE BILL No. 2469

By Representative Finney

1-6

1 AN ACT concerning children and minors; relating to the revised Kansas
2 code for care of children, placement of child in custody of the secretary,
3 foster parents; enacting the Kansas foster parents bill of rights.

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

6 Section 1. (a) In order to ensure active participation of foster parents,
7 as an integral, indispensable and vital role in the state's efforts to care for
8 children in the custody of the secretary, unless otherwise ordered by the
9 court, such foster parents shall have the right to:

10 (1) Be treated by the Kansas department for children and families and
11 other child welfare system stakeholders with dignity, respect and trust as a
12 primary provider of care and support and a member of the professional
13 team caring for a child in the custody of the secretary;

14 (2) not be discriminated against on the basis of religion, race, color,
15 creed, gender, marital status, national origin, age or physical handicap in
16 accordance with K.S.A. 44-1001, et seq., and amendments thereto, and
17 federal law;

18 (3) if the values and beliefs of the child and the biological family are
19 respected and not infringed upon, continue with such parents' own family
20 values and beliefs with consideration given to the special needs of children
21 who have experienced trauma and separation from their biological
22 families;

23 (4) make decisions concerning the child, consistent with the policies,
24 procedures and other directions of the Kansas department for children and
25 families, department of health and environment and within the limits of
26 state and federal law;

27 (5) receive standardized preservices training by the Kansas
28 department for children and families, or the department's designee, and at
29 appropriate intervals to meet mutually-assessed needs of the child and
30 such parents;

31 (6) receive timely financial reimbursement and to be notified of any
32 costs or expenses for which such parents may be eligible for
33 reimbursement in accordance with K.S.A. 38-2216, and amendments
34 thereto;

35 (7) receive information regarding services and contact the Kansas
36 department for children and families, or the department's designee, during

1 regular business hours and a telephone number for after business hours in
2 the event of an emergency;

3 (8) be notified, prior to the placement of a child, of any information
4 or issues concerning the child and known to the Kansas department for
5 children and families, or the department's designee, that is relevant to the
6 care of a child when such child is placed with such parents or that may
7 jeopardize the health and safety of the foster family or the child or alter the
8 manner in which care and services should be administered;

9 (9) discuss known information regarding the child prior to placement
10 and be provided such information from the Kansas department for children
11 and families as such information becomes available under state and federal
12 law;

13 (10) with reasonable notice, refuse placement of a child in such
14 parents' home or to request the removal of a child from such parents'
15 home;

16 (11) receive any available information through the Kansas department
17 for children and families regarding the number of times a child has been
18 placed and the reasons for such placements, and to receive the names and
19 phone numbers of any previous placements if such placements have
20 authorized such a release by law;

21 (12) receive information from the Kansas department for children and
22 families that is relevant to the care of a child when the child is placed with
23 such parents;

24 (13) provide input and participate in the case planning process for the
25 child and the right to participate in and be informed about the planning of
26 visitation between the child and the child's biological family, recognizing
27 that visitation with the biological family is important, in accordance with
28 K.S.A. 38-2255, and amendments thereto;

29 (14) communicate with the child's child welfare case management
30 provider and to share and obtain relevant and appropriate information
31 regarding such child's placement;

32 (15) communicate with members of the child's professional team, for
33 the purpose of participating in such child's case plan, with other
34 professionals who work with such child's child welfare case management
35 provider, including, but not limited to, therapists, physicians and teachers,
36 as allowable by rules and regulations, state and federal law;

37 (16) be notified in advance of any court hearing or review where the
38 case plan or permanency of the child is an issue, including periodic
39 reviews held by the court, in accordance with the revised Kansas code for
40 care of children;

41 (17) be considered, when appropriate, as a placement option, if a
42 child who was formerly placed with such parents is in the custody of the
43 secretary again;

1 (18) continue contact and communication with a child subsequent to
2 the child's placement from such parents' family foster home, subject to the
3 approval of the child and the child's biological parents, if such biological
4 parents' rights have not been terminated;

5 (19) direct questions regarding information, concerns, policy
6 violations and a corrective action plan relating to licensure as a family
7 foster home to the department of health and environment; and

8 (20) have the rights described in this section be given full
9 consideration when the Kansas department for children and families
10 develops and approves policies regarding placement and permanency.

11 (b) This section shall be known and may be cited as the Kansas foster
12 parents bill of rights.

13 (c) This section shall be a part of and supplemental to the revised
14 Kansas code for care of children.

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