

**Robert G. Bethell Joint Committee on Home and Community Based Services and KanCare  
Oversight  
Derik Flerlage  
Bureau Director for Bureau of Public Health  
June 20, 2024**

Chair Landwehr and Esteemed members of the Bob Bethell Joint Committee,

Regarding your inquiry on the number of exceptions provided by the KDHE for child care centers to remain open we interpreted the question to be on all child care facilities as a whole. Child care centers are a specific license type so decided to take a look at all child care facilities to answer this question.

Exceptions are a key part of KDHE's ability to respond to special circumstances and needs in various communities throughout the state. KDHE has granted a total of **783 exceptions** out of **917 requests since 2019**. This included a high of 233 in calendar year 2023. KDHE remains on pace to meet or exceed this number through the first 5 months of 2024. Out of the 783 exceptions granted since 2019, **605 have been for home providers**. This represents 77% of total exceptions granted.

Exceptions allow us to take a case by case view while ensuring proper health and safety standards remain present. We consider provider history, any previous enforcement issues, community need, etc. We also consider family need and that some exception requests can be specific to a child's needs (i.e. specific sleep position, not splitting up siblings, etc.) We also utilize exceptions as a way to help facilities and providers meet regulation requirements. For example, we can grant exceptions if potential staff do not meet regulatory requirements and/or qualifications while working with that facility/provider to create a path to do so.