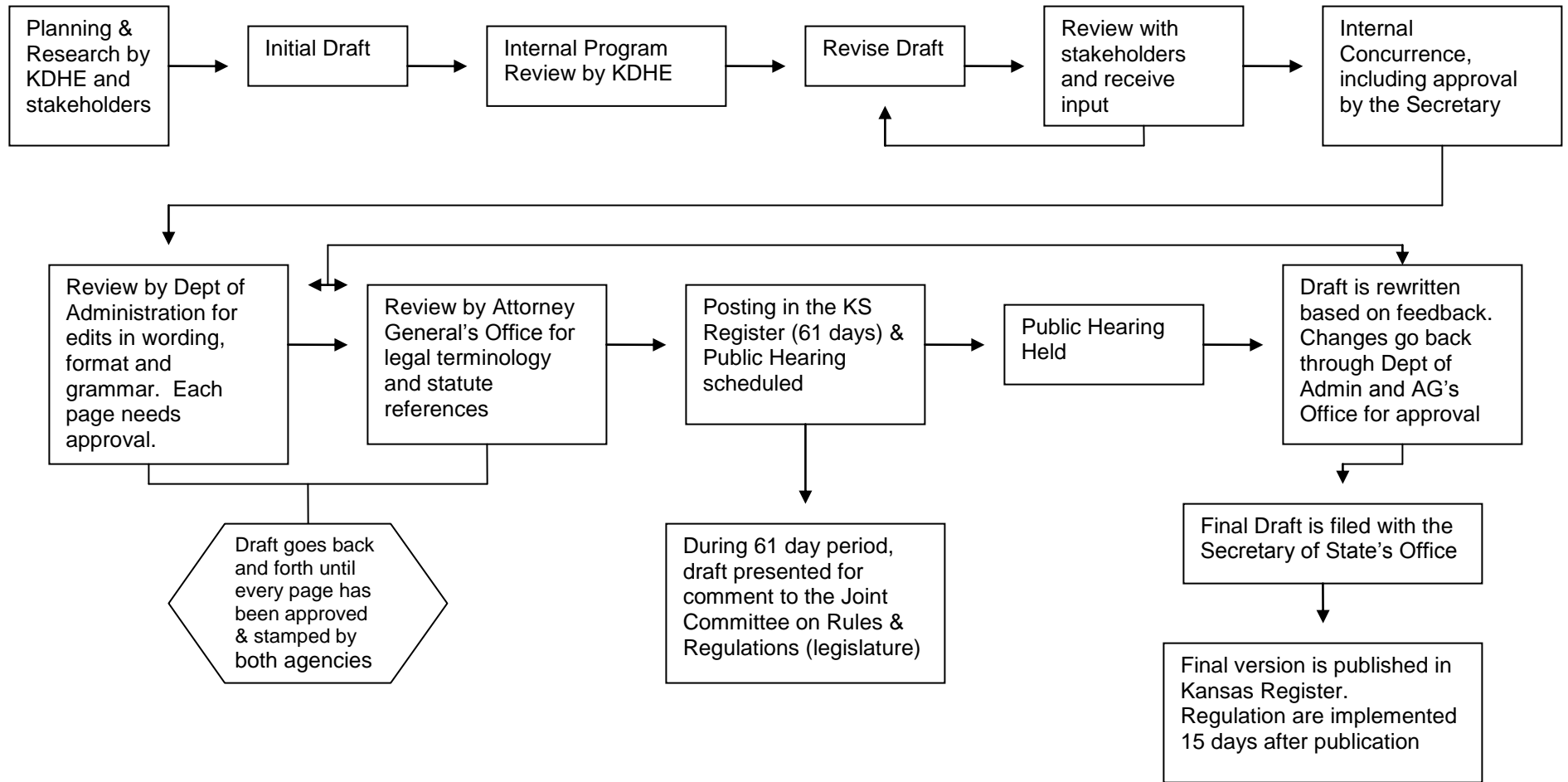


Regulation Development Process Flow Chart





The Value of Respect

One fundamental common denominator cuts across cultures, nationalities, races and religions and that is respect. Regardless of personality types, learning styles, orientation, strengths or weaknesses, respecting our “licensees” transcends all differences. Differences are the basis for judgments, separation and prejudice, and judgments are the cancer cells of relationships. Respect allows for difference. Respect is accepting others as they are without wanting them to be more like you. If you respect people, then you honor their areas of expertise, competence, preferences and strengths as well as their shortcomings. In this fashion, you empower them with a sense of positive self-regard, or self-esteem.

Cherie Carter-Scott PhD
Author, *Negaholics* and the Corporate Negaholic Chairman of the Board, The MMS Institute

ADMINISTRATIVE POLICY AND PROCEDURE MANUAL Kansas Department of Health and Environment Bureau of Consumer Health Child Care Licensing and Registration Section	Section: (Enter CCLR General unless specific to another area) CCLR General -
Policy: Licensee Education and Compliance Enrichment	Page(s): 1
	Effective Date: August 1, 2011

Licensee Education and Compliance Enrichment

I. POLICY

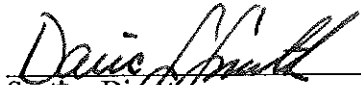

Child Placement Agency (CPA) surveyor attendance of initial surveys for family foster home license applicants shall be a component of CPA and family foster home licensee education and compliance improvement.

II. PURPOSE

To provide real time learning opportunities to CPA surveyors regarding agency statutory and regulatory expectations of family foster homes and licensees. CPA licensees will be given the opportunity to accompany and observe field staff during initial surveys of family foster home applicants. This will allow CPA's to understand and internalize KDHE's interpretation and application of statutes and regulations. The CPA's will, in turn, be able to accurately and competently convey this knowledge to applicants for family foster home licenses and current licensees. Increased knowledge and understanding of agency expectations will simplify compliance with statutes and regulations which will result in fewer violations, lessen the need for corrective actions and facilitate the health and safety of Kansas children in foster care.

III. PROCEDURE FOR SURVEYOR

- When scheduling the initial survey of a family foster home, the surveyor shall extend an invitation to the sponsoring CPA surveyor to accompany him or her on the survey.

	8/1/11
Section Director	Date
	8/2/11
Bureau Director	Date

Administrative Policy and Procedure Manual
Kansas Department of Health and Environment
Bureau of Child Care and Health Facilities

Policy: Exception to regulations regarding exits for
space used for living and sleeping

Program CCLR – CPA & Residential Programs
Section 2010 - 002

Applies to Family Foster Homes

Effective Date: September 8, 2010

EXCEPTION TO REGULATIONS REGARDING EXITS FOR SPACE USED FOR LIVING AND SLEEPING

I. POLICY

A. K.A.R. 28-4-820 (d) (11) shall be excepted in its entirety.

B. The following exceptions shall be granted for K.A.R. 28-4-821:

1. 28-4-821(b) (5) shall be excepted in its entirety, **provided that in each family foster**

home:

Each bedroom used for sleeping by a child in foster care shall have two means of escape.

Each means of escape shall be readily opened from the inside.

(A) At least one means of escape shall be an unobstructed pathway leading to an exit door to the outside.

(B) Each exit shall allow access into the room by emergency personnel.

(C) If one means of escape is a sliding glass door, the door shall not be barred.

(D) The second means of escape shall give direct access to the outside and shall be an unobstructed door or an unobstructed, operable window.

(E) Each window used as a means of escape shall meet one of the following size requirements:

(i) The window shall have an opening measuring at least 821 square inches, with a minimum width of 20 inches and a minimum height of 24 inches; or

(ii) The window shall measure a minimum width of 20 inches and a minimum height of 24 inches. The licensee shall ensure that each occupant of the bedroom can easily exit through the window and shall ensure that provisions are made for escape in case of an emergency.

(F) Each window used as a means of escape shall be within 44 inches of the floor or shall have steps or another structure that brings the exit within 44 inches of the top of

the steps or structure. If steps or another structure is used, the licensee shall ensure that both of the following requirements are met:

- (i) Be a permanent structure; and
- (ii) Ensure that any occupant can easily exit the room.

If the window is screened, the screen shall be readily removed from the inside.

2. 28-4-821(b) (6) shall be excepted in its entirety.
3. 28-4-821(d) shall be excepted and shall apply only to *children in foster care*.
4. 28-4-821(f) shall be excepted and shall apply only to *children in foster care*.

II. PROCEDURES

These exceptions shall be effective as of the date stated above and shall remain in effect, unless the Department determines any of the exceptions is no longer in the best interest of children in foster care.

III. PURPOSE

The purpose of these exceptions to ensure that each bedroom used for sleeping by children in foster care shall have two means of escape while allowing the foster family flexibility in the use of other living space.

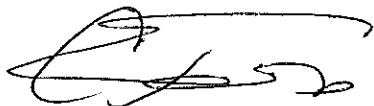
Following the implementation of the regulations for licensing family foster homes, which became effective March 28, 2008, the Department received comments from child-placing agencies and foster parents that the new regulations placed a severe burden on a number of foster families for whom the new regulations prevented the families from being able to utilize living space in their homes for household members or children in foster care.

Foster parents have the right to determine where they or their children may sleep in their own homes. The state's responsibility is to safeguard children in out-of-home care through the licensing program. This exception reflects a balance of the foster parent's rights and the state's responsibility to children placed for care. The granting of these exceptions will lead to increased availability of family foster homes for specific children who need placement in these homes by providing some flexibility to foster parents regarding their own family; by reducing barriers to recruiting homes that would otherwise comply with the regulations and would be a valuable resource for Kansas children; and by maintaining acceptable safety levels for the children placed for care.

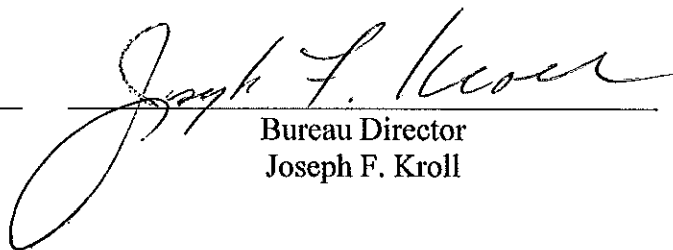
The purpose of this exception is to address the unanticipated hardship for these foster families, until revisions of these regulations become effective.

IV. AUTHORITY

The Secretary of the Kansas Department of Health and Environment has the authority to grant exceptions to regulations when it is in the best interest of children in foster care pursuant to K.A.R. 28-4-804(e).



Program Director
Corrie L. Edwards



Bureau Director
Joseph F. Kroll

Administrative Policy and Procedure Manual Kansas Department of Health and Environment Bureau of Child Care and Health Facilities Policy: Exception to the requirement for an original medical consent form for children in foster care	Program CCLR – CPA & Residential Programs Section 2009 - 001 Applies to Family Foster Homes Effective Date: May 7, 2009
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EXCEPTION TO THE REQUIREMENT FOR AN ORIGINAL MEDICAL CONSENT FORM FOR CHILDREN IN FOSTER CARE

I. POLICY

K.A.R. 28-4-808(e)(5) requires each licensee to maintain a file for each child in foster care which contains medical and surgical consent forms. K.A.R. 28-4-814(g)(1)(F) refers to each "original" medical consent. The purpose of the requirement is to ensure timely treatment of children in foster care in emergency situations. When the following condition is met, an exception is granted to the requirement for an original medical consent:

Each licensee shall maintain a file for each child in foster care which contains a medical consent form that meets the requirements of the hospital or medical clinic where emergency care will be given.

II. PROCEDURES

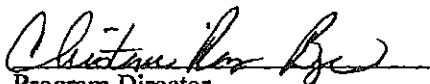
This exception is effective as of the date stated above and remains in effect unless the Department determines the exception is no longer in the best interest of children in foster care.

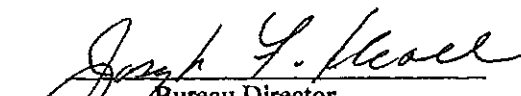
III. PURPOSE

The purpose of this exception is to address concerns brought to the Department's attention following the implementation of the Regulations for Licensing Family Foster Homes in Kansas on March 28, 2008, and the Department's response to a Frequently Asked Question (FAQ). The FAQ response clarified the intent of K.A.R. 28-4-808(e)(5) was to require each licensee to maintain a file with the original medical consent form for each child in foster care. The Department received feedback from Child Placing Agencies that the regulation does not reflect current practice. Additional feedback indicated that across the state, access to emergency treatment for children in foster care is not dependent upon the original medical consent in many hospitals and medical clinics, which will now accept various forms of the medical consent, including copies, faxed copies, and/or electronic copies. Until such time as the regulation can be revised, the Department provides this exception to ensure the requirements of the regulation are consistent with the intended purpose.

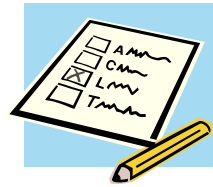
IV. AUTHORITY

The Kansas Department of Health and Environment has the authority to interpret the regulations for family foster homes.


 Program Director


 Bureau Director

Personal Plan



Do your state regulations mirror your state's values?

If not what steps can you take to build what you have to support your caregivers?



How can you focus on quality of care?



What are some strategies you can do within your level of authority?