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**Written Proponent Testimony to House Committee on Child Welfare and Foster Care:
HB 2194 Representative Gail Finney Memorial Foster Care Bill of Rights
January 30, 2023**

Chair Concannon, Vice Chair Johnson, Ranking Member Ousely, and Members of the Committee, I am writing as the Child Advocate with the Kansas Division of the Child Advocate, Office of Public Advocates, as a proponent in support of HB 2194 Representative Gail Finney Memorial Foster Care Bill of Rights. The Division of the Child Advocate (KDCA) provides independent oversight and increased accountability to ensure that children who are alleged to be a child in need of care or adjudicated as a child in need of care and their families receive adequate coordination of child welfare services, for child maltreatment prevention, protection and care through services offered by the Department for Children and Families, the Department for Aging and Disability Services, the Department of Corrections, the Department of Health and Environment and juvenile courts.

Numerous foster parents have voiced to KDCA concerns that include but are not limited to alleged unprofessional, biased, or discriminatory conduct, communication failures, retaliation, unnecessary/inappropriate change of child's placement, inadequate transition to new placement, and lack of support services. KDCA has recommended that the Department for Children and Families (DCF) fully incorporate the professional relationship that foster parents have within the child welfare system and formally recognize foster parents as professional members of the case team. HB 2194 delineates the importance of foster parents as professionals and their relationship with the child, family, and service providers. KDCA does recognize the critical balance and juxtaposition between the rights of parents versus foster parents. At no point should the rights set out in HB 2194 be used to violate a parent and child's Constitutionally protected rights to family integrity.

Interwoven throughout the concerns KDCA has received thus far are statements, issues, and themes that directly relate to the basic and foundational rights of our foster youth. KDCA believes youth voice is a critical component in ensuring that the child welfare system is providing the care and services our children and families deserve and need to thrive and achieve

well-being. KDCA is a proponent of incorporating into statute the work of the Kansas Youth Advisory Council “Rights as a Kansas Foster Youth.” KDCA does encourage review and discussion around HB 2194, page 2, line 17, to include language addressing possible safety concerns that may warrant reasonable restrictions around the receipt of both mail and phone calls, outside of requiring a court order.

KDCA appreciates this Committee’s time and attention to recognizing the critical role foster families have as professional case team members and caregivers, and most importantly recognizing and honoring the voice and rights of our youth in care.

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