

February 4, 2019

The Honorable Susan Concannon, Chairperson
House Committee on Children and Seniors
Statehouse, Room 149-S
Topeka, Kansas 66612

Dear Representative Concannon:

SUBJECT: Fiscal Note for HB 2103 by House Committee on Children and Seniors

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2103 is respectfully submitted to your committee.

HB 2103 would revise the Kansas Code for Care of Children to allow Kansas to institute a Qualified Residential Treatment Program (QRTP) based on federal requirements. The bill would require the Secretary of the Department for Children and Families (DCF) to notify the court that a child has been placed in a QRTP within seven days of placement. The courts would be required to review assessments and documentation within 60 days after a child is placed in a QRTP to determine if the child's needs are being met and to determine the appropriate level of care in the least restrictive environment.

The bill would require that a petition filed in accordance with the Kansas Code for Care of Children include an attached copy of a prevention plan, if any, that has been prepared for the child. The bill also includes the requirements for the permanency hearing process for a child that is placed in a QRTP.

HB 2103 would allow DCF to develop QRTPs and be compliant with the Families First Prevention Services Act (FFPSA). This would allow DCF to take advantage of enhanced IV-E federal funding for prevention programs meeting the FFPSA criteria. DCF could incur more costs associated with QRTPs as these placements provide increased levels of service. DCF anticipates that the length of stay in foster care could decrease because of the enhanced level of care and the FFPSA prevention programs DCF would develop. DCF states that the costs and savings of the bill could off-set each other, but a precise fiscal effect cannot be determined.

The Office of Judicial Administration anticipates that enactment of HB 2103 could have a significant fiscal effect on the courts because it creates new requirements for the district courts. The bill would require district courts to conduct hearings upon request, district court clerks to send hearing notices, judges to review documentation and issue rulings for each hearing. However, it is not possible to predict the number of additional hearings that would arise or how complex and time-consuming they would be and a precise fiscal effect cannot be determined. Any fiscal effect associated with HB 2103 is not reflected in *The FY 2020 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink that reads "L. L. Campbell". The signature is written in a cursive style with a large, sweeping initial "L".

Larry L. Campbell
Director of the Budget

cc: Janie Harris, Judiciary
Jackie Aubert, Children & Families