



TESTIMONY OF JOEY HENTZLER  
DIRECTOR OF ADVOCACY  
KANSAS APPLESEED CENTER FOR LAW AND JUSTICE

KANSAS HOUSE COMMITTEE ON CHILDREN AND SENIORS  
**IN SUPPORT OF HOUSE BILL 2187**  
FEBRUARY 20, 2020

My name is Joey Hentzler; I am the director of advocacy for the Kansas Appleseed Center for Law and Justice, a nonprofit, nonpartisan organization dedicated to the belief that Kansans, working together, can build a state full of thriving, inclusive, and just communities.

**Kansas Appleseed Supports House Bill 2187.**

Kansas Appleseed supports the creation of the Office of the Child Advocate for children's protection and services within the Department of Administration.

The Kansas foster care system is in crisis.<sup>1</sup> Too many children are in the foster care system. Children are entering care at racially disproportionate rates. Placement instability is dangerously high. Fixing the crisis will take a coordinated effort that addresses issues on several fronts, including increased resources and support for Kansas families, improving conditions and training for those working in the system, and implementing structural improvements like those called for here in HB 2187.

The 2018 Child Welfare System Task Force Working Groups studied Kansas's child welfare system and recommended "The State of Kansas shall fund and establish the Office of the Child Advocate (OCA) for Children's Protection and Services within the Kansas Department of Administration to identify challenges across the child welfare system, provide oversight, and propose solutions."<sup>2</sup>

According to the National Conference of State Legislatures [NCSL], Kansas is one of a minority of states that does not currently have either an Office of the Child Advocate/Children's Ombudsman Office or a statewide Ombudsman program addressing concerns that include children's services.<sup>3</sup> The United States Ombudsman Association [USOA] has established best practices for Ombudsman Offices in government. According to these best practices, "Independence is a core defining principle of an effective and credible Ombudsman."<sup>4</sup>

The model of the office of the child advocate that is proposed in HB 2187 - an office established by the legislature that reports and acts independently of the Kansas Department for Children and Families and

<sup>1</sup> Strengthen Families Rebuild Hope. "Addressing the Foster Care Crisis in Kansas: Recommendations from the Strengthen Families Rebuild Hope Coalition." Retrieved at: [http://www.rebuildhopekansas.org/uploads/2/1/9/2/21929892/sfrh\\_2018report\\_final.pdf](http://www.rebuildhopekansas.org/uploads/2/1/9/2/21929892/sfrh_2018report_final.pdf)

<sup>2</sup> Kansas Child Welfare System Task Force. "Report of the Child Welfare System Task Force to the 2019 Kansas Legislature." 2019.

<sup>3</sup> National Conference of State Legislatures. "Children's Ombudsman Offices | Office of the Child Advocate." Retrieved at: <http://www.ncsl.org/research/human-services/childrens-ombudsman-offices.aspx>

<sup>4</sup> United States Ombudsman Association. "Governmental Ombudsman Standards." p. 2. Retrieved at: <http://www.usombudsman.org/site-usoa/wp-content/uploads/USOA-STANDARDS1.pdf>

the Department of Corrections - offers the highest level of independence among the state models outlined by the NCSL. We support having an independent entity whose budget and staffing are not dependent on the agencies whose work may be the subject of the child advocate's review.

Over the last decade, the average foster care expenditure per child was \$25,819 in Kansas.<sup>5</sup> For FY 2020, it was \$32,317. The fiscal note for HB 2187 estimates the OCA would require \$766,064. Using the 10-year average figure, the OCA would pay for itself if it results in just 30 fewer kids in foster care.<sup>6</sup> The cost of the OCA is just 0.004% of the 2020 state budget - just four pennies per \$1,000.<sup>7</sup>

Kansas kids deserve the best support we can provide them. Vulnerable children entering state care need an independent entity looking out for their interests. The best available information tells us that independent oversight is an important piece of providing the best for our children. Establishing an Office of the Child Advocate is a crucial and necessary component to successful foster care reform in Kansas.

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<sup>5</sup> Data analyzed by Kansas Appleseed. Sources included: DCF Testimony to the House Social Services Budget Committee, Kansas Division of the Budget 2020 Comparison Report, and Reports on Removals, Exits and Out of Home Placement from DCF

<sup>6</sup> \$766,064 (cost of OCA) / \$25,819 (cost of foster care per kid) = 29.67

<sup>7</sup> \$66,064 / \$18,410,958,177 = 0.004%. Source for total expenditures: Kansas Division of the Budget 2020 Comparison Report (<https://budget.kansas.gov/comparison-reports/>)