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ICPC Office Hours: Monday – Friday, 8:00a.m. to 5:00 p.m. Central Time Zone.

FAX: (785) 368-8159 (delivery address same as above). (Fax on emergency basis only. Please do not fax over 10 pages without prior approval of Kansas ICPC.)

GENERAL INFORMATION

ICPC Code Citation. K.S.A. 38-1201-38-1206.

Statutory Penalties Under Article IV. Suspension or revocation of license, permit held by the agency which allows it to place children. Failure to comply with the provisions of ICPC by a professional providing services related to the placement of children is a class C misdemeanor. Professional is defined as any person who receives payment or compensation for providing services related to the placement of children for adoption.

Age of Majority. 18 years, K.S.A. 38-101. Wards of the Secretary of SRS may remain eligible for services and financial help until age 21. K.S.A. 38-1503.

Court Jurisdiction. District Courts: probate division, adoptions; District court, juvenile division, child in need of care, juvenile offenders; district court, domestic relations division, and divorce proceedings.

SPECIAL INFORMATION

Schools. Supreme Court Decision allowed religious groups to establish their own criteria for education requirements. The Kansas State Board of Education can advise if private schools meet state standards.

Custody Investigations Related to Divorce. Referrals are to be sent to the court service office at the court in the county where person to be studied resides.

Packets. Kansas upon request will provide a packet to attorneys, agencies, individuals using ICPC explaining detailed Kansas procedures and providing needed forms.

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REQUIREMENTS

Journal Entry/Court Order. When court jurisdiction is involved, Kansas requires a court order signed by a judge or the appropriate judicial authority in the sending state. Reports. Every six months unless otherwise specified.

Licensing: Requirements. Group boarding homes, family foster homes, day care homes and centers, maternity hospitals and homes, residential centers (institutions) detention centers and child placement agencies must be licensed to provide care for children under 16. Licenses are issued by KDHE with approval from the state Department of Social and Rehabilitation Services and the State Fire Marshall. K.S.A. 65-501 - 65-527.

PLACEMENTS

Independent Adoptive Placements. Lawful K.S.A. 59-2132 the court shall require the petitioner to obtain an assessment by a court approved social worker licensed to practice social work in Kansas or by a licensed child placing agency of the advisability of the adoption. (The study must be completed or updated within the past year from the date the petition is filed.)

Adoption Consent. Shall have been executed not more than six months prior to the date the petition for adoption is filed. A minor parent shall have the advice of independent legal counsel as to the consequence of the consent or relinquishment prior to its execution. A consent or relinquishment may not be given by the mother or accepted until 12 hours after the birth of the child. (KSA59-2114).

Payment for Adoption. In action for adoption, a detailed accounting of all consideration given, or to be given, and all disbursements made, or to be made, in connection with the adoption and the placement of adoption shall accompany the petition for adoption. The court may disapprove unreasonable costs or those in violation of 59-2121.

Adoption Petition. An independent adoption venue shall be in the county where the petitioner resides or the county where in which the child to be adopted resides. Agency adoptions may also be filed either where the child or petitioner resides and also in the county where the child placing agency is located K.S.A. 59-2126. A petition may be filed any time after placement. Most agencies request a six month post-placement period before issuing the consent. Upon filing, the court fixes a time and date for hearing which shall not be less than thirty nor more than sixty days from the filing of the petition. The hearing may be extended by the court for cause. K.S.A. 59-2278.

Background Data on Adoptee and Parents. Independent and agency adoptions; background information on adoptee and parents; filing; disclosure. (a) The following information shall be filed with the petition in an independent or agency adoption: (1) A complete written genetic, medical and social history of the child and the parents; (2) the names, dates of birth, addresses, telephone numbers, and social security numbers of each of the child's parents, if known; (3) Any hospital records pertaining to the child or a properly executed authorization for release of those records; and (4) The child's birth verification, which shall include the date, time and place of birth and the name of the attending physician. (b) The genetic, medical and social history required by this section shall be in conformity with the rules and regulations adopted by the secretary of social and rehabilitation services and on forms provided by the secretary. (C) If any information required to be filed under this section is not available, an affidavit explaining the reasons why it is not available shall be filed with the petition for adoption.

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Residential Placements.

-Placements requiring Interstate Approval: All placements by agencies, courts or parents from outside the state into residential facilities and group homes are subject to ICPC procedures. Facilities licensed as a psychiatric hospitals are excluded.

-Requirements for Placements: ICPC 100A (CY2866), case plan on child, documentation of custody if placement made by person other than parent. In parental placement a letter attesting to the need for placement.

-Approval of Facilities: Department of Health and Environment licenses all facilities. The SRS group care specialist maintains a list of all approved facilities. The facility will need to acknowledge acceptance of placement of youth.

-Rate Setting: Rates are negotiated between the sending agent and facilities. Commission of children and family services has a list of negotiated rates it has agreed to pay for a Kansas youth's residential care.

-Monitoring of the Child: Facilities will provide reports to the sending agencies via the ICPC process.

-Philosophy for the Placement of Non-Resident Youth: Placements may be made in facilities appropriate to meet the needs of the youth. The facility is to provide services and progress reports on the youth.

-Requirements for Foster Care Placements: All non-related persons or facilities caring for children must be licensed by the Department of Health and Environment for children under age 16. Facilities individual caring for children over 16 must be approved as meeting license standards.

PAYMENTS

AFDC Payments. Are provided on behalf on non-resident youth placed with relatives as long as the youth's income does not exceed allowable income and ICPC placement has been approved.

Foster Care Payments. Foster care payments are negotiable. If a child moves with foster family to another state, the Kansas rate would apply. If the receiving state was asked to recruit a foster home, the receiving state's rate would be utilized.

Special Education/Education. The child placed in Kansas may attend public schools, special or regular educational programs. The local education system may require tuition or other reimbursement from the placement agency.

USEFUL TELEPHONE NUMBERS

Child Abuse Registry. (785) 296-6783 (Child Abuse Alerts). Juvenile Compact Office. Mickey Howe (785) 296-4652.

Title IV-E Social Service Eligibility Specialists. CFP Attorney, Kevin Graham, (785) 296-3967.

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Foster Home Licensing/Residential Facilities. Kansas Department of Health and Environment
(785) 296-1274.

Reception Telephone Number. (785) 296-4653.