



Kansas Register

Kris W. Kobach, Secretary of State

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ing cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m. Monday through Friday, excluding holidays.

Robert Moser, M.D.
Secretary of Health
and Environment

Doc. No. 041494

State of Kansas

Department of Health and Environment

Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Division of Health, Bureau of Family Health, will conduct a public hearing at 1:30 p.m. Monday, July 15, in Room 530 of the Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider amendments to regulations K.A.R. 28-4-801, 28-4-814, 28-4-816, 28-4-820 and 28-4-821, pertaining to family foster homes for children. A summary of the proposed regulations and the estimated economic impact follows:

Summary of Regulations:

K.A.R. 28-4-801. License required. The proposed amendment describes conditions under which an individual is not required to obtain a license to operate a family foster home.

K.A.R. 28-4-814. Family life. The proposed amendment pertains to informal visitation of a child in foster care in the home of an extended family of the foster family, clarifying that either the original or a copy of the medical consent form and health assessment must be provided.

K.A.R. 28-4-816. Transportation. The proposed amendment removes a driver requirement from the subsection on vehicle requirements; requires the driver of any vehicle used to transport a child in foster care to hold a valid driver's license; clarifies the requirements for child safety seats; expands the individuals responsible for obtaining parental permission before a child in foster care is allowed to drive; clarifies the requirements for drivers age 16 but not 18 when transporting a child in foster care to and from school, work or social activities; and clarifies which subsections must be met when a child in foster care who is a parent transports a child of that parent. Statutory references are updated in several subsections.

K.A.R. 28-4-820. General environmental requirements. The proposed amendment clarifies that stairways with two or more stairs and a landing shall have a handrail and be guarded only if there is a drop-off of more than 21 inches; changes the space required between stairway balusters from not exceeding three inches to not exceeding four inches; deletes the requirement that each floor used as living space has at least two means of escape; clarifies that smoke detectors and carbon monoxide detectors must be working; and clarifies the requirements for fireplaces, heating appliances and clothes dryers.

K.A.R. 28-4-821. Sleeping arrangements. The proposed amendment adds requirements for means of escape for each bedroom used by a child; deletes requirements for basement bedrooms; rewords the requirement that privacy is ensured for the occupants of all bedrooms; clarifies the requirement for a separate bed or crib for each child; clarifies the requirements for use of bunk beds; based on safe sleep practices for children less than 12 months of age, adds to the list of soft items that shall not be used in a crib or playpen and allows a child who can turn over independently to be placed on the child's back to sleep but be allowed to remain in a position preferred by the child; adds a new subsection for requirements if a child less than five years of age shares a room with any other child; and clarifies the requirements if a child sleeps in the bedroom of the licensee. The proposed amendment specifies which subsections pertain only to a child in foster care and not to all children in the home.

Economic Impact:

Cost to the agency: There is no additional cost to the agency.

Cost to licensees: There is no additional cost to individuals currently licensed as foster parents.

Costs to other governmental agencies or units: There is no known additional cost.

The time period between publication of this notice and the scheduled hearing serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed amended regulations. At any time during the public comment period any interested parties may submit written comments to Dorothy Tenney, KDHE, Child Care Licensing Program, 1000 S.W. Jackson, Suite 200, Topeka, 66612-1274, by fax at 785-296-0803, or by e-mail to dtenney@kdheks.gov. During the hearing, all interested parties will be given a reasonable opportunity to present their views orally on the proposed amended regulations as well as an opportunity to submit their written comments. In order to give each individual an opportunity to present their views, it may be necessary for the hearing officer to request that each presenter limit any oral presentation to an appropriate time frame.

Complete copies of the proposed regulations and the corresponding economic impact statement may be obtained on the Child Care Licensing website at www.kdheks.gov/kidsnet/ or by contacting Dorothy Tenney at the address above, 785-296-1270 or fax 785-296-0803.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulations and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Dorothy Tenney.

Robert Moser, M.D.
Secretary of Health
and Environment

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