**Family Foster Home Licensing Guide**

Kansas law requires licensure for all Family Foster Homes as regulated by statute. This guide is designed to help you assess and identify areas governed by Family Foster Home Regulations. It is a synopsis and is not a complete list of the Family Foster Home Regulations.

**Qualifications and Training Requirements: KAR 28-4-801 through KAR 28-4-806**

* Be at least 21 years of age
* Have less than 6 children under 16 years of age in the home. The total number of children includes all children in care and all children of the licensees.
* Have a Child Sponsoring Agency
* Family assessment completed by Child Placing Agency
* Sufficient income to meet the needs of the licensee’s family
* Licensee’s complete finger print checks
* Out of state registry checks completed if lived in any other state within previous 5 years
* Background check on all person’s over 10 who reside in home; any substitute caregiver over age 14; and any extended family over age 10 that is approved for informal visitation
* Complete PS MAPP/DT, Universal Precautions, Medication Administration and 3 hour face to face first aid training.
* Each licensee shall complete 8 hours of training annually

**Reporting and Records Requirements: KAR 28-4-807 through KAR 28-4-810**

* Report infectious diseases to local health department and the child sponsoring agency by next working day; positive TB tests are reported to Kansas Department of Health and Environment.
* Report the following critical incidents immediately to the child’s case manager and the sponsoring child placing agency and follow up with written report containing identifying and factual information, by next working day and keep a copy of file at the foster home: fire or other property damage, vehicle accidents, missing or runaway children, restraint of a child, injury that requires medical attention, death of a child or any resident, arrest of child, presence of law enforcement or any incident that jeopardizes a child’s health safety or welfare. A death of anyone resident of the family foster home shall also be reported to the Department for Children and Families.
* Abuse/neglect allegations must be reported to the Department for Children and Families or law enforcement within 24 hours and the licensee shall notify the child sponsoring agency.
* Participate in case planning meeting and share information related to a child in care; behaviors, progress, difficulties, conflicts or needs, with the case manager; follow sponsoring agencies policies; work with agencies to aid in achieving permanency goal.
* Maintain a file with all training certificates, health assessments, tb tests, immunizations, pet vaccinations, driver license, background check form CCL 002, outdoor safety plan, swimming pool or hot tub rules, and critical incident reports, approval to provide respite, and current restraint certification and restraint approval of the child sponsoring agency.
* Maintain a file, in a confidential manner, for each child in care: health assessments, TB test, immunizations, medical and dental records, case plans, court orders, placement agreements, medical consent, release of information, medication administration records, reason for referral, high risk activity approval, self-care plans, driver license and critical incidents.
* All records, items, gifts, personal belongings of the child in care are sent with the child upon departure.

**Supervision and Care Requirements: KAR 28-4-811 through KAR 28-4-815**

* Each caregiver shall be qualified by the temperament, emotional maturity, judgment, and the understanding of children necessary to maintain the health, comfort, safety and welfare of children in foster care.
* Provide supervision of children in care based on individual children’s needs and behaviors: additional supervision provided when: child has mental health issues, self-harming behavior, are impulsive, danger to self or others, functions below chronological age, or unable to engage in self-care.
* Arrange for substitute care in the absence of the license for children who are unable to stay alone.
* Children 12 and older engage in self-care between 6 am and midnight only when a written plan, identifying expectations and boundaries, is on file and approved by case manager, sponsoring agency and licensee. (A 12 year old can stay 2 consecutive hours but no more than 4 hours , a 14 year old can stay alone no more than 4 hours and a 16 year old can stay alone no more than 10 hours per day.)
* Ensure the growth and development of children in care by providing access to school, church and community activities. Provide opportunities for participation in recreational activities, age appropriate social activities which may include sleepovers/slumber parties. Provide birthday and holiday gifts, privacy, books, and play equipment. Provide a daily routine and structure, teach developmentally age appropriate life skills, facilitate educational services, and include the child in family activities and meals.
* Obtain written permission for children in care to participate in high risk activities.
* Utilize behavior management techniques that are positive, and teach children to manage their own behaviors. Timeout shall be used in accordance with the child’s age and developmental level and only long enough to regain self-control.
* Do not use punishment or discipline methods that are humiliating, frightening or physically harmful. corporal punishment, name-calling, exposure to extreme temperatures, refusing access to the home, excessive exercise, using substances that sting, burn or have bitter taste, withholding or forcing food, withholding rest, withholding toilet use are prohibited.
* Restraint cannot be used unless a child is actively a danger to self or others and other de-escalation methods have failed.

**Transportation Requirements: KAR 28-4-816**

* Have a valid driver license and insurance for each vehicle used for transporting children in care.
* Have a first aid kit that contains: assorted bandages, elastic bandage, roll of gauze, roll of adhesive tape, 4 x4 gauze squares, disposable gloves, cleansing agent and scissors.
* Vehicles shall have working seat belts, booster seats, or car seats as required by age, height and weight.
* Children under 10 not left in vehicle without an adult present.
* No smoking in a vehicle used to transport children in care whether or not the child is present in the vehicle.

**Health and Safety Requirements: KAR 28-4-817 through KAR 28-4-819; KAR 28-4-822;**

* Provide children with nutritional meals and snacks, meet special medical, allergy or cultural dietary needs.
* Ensure all prescription, non-prescription medications, vitamins, supplements are in locked storage inaccessible to children in care.
* Administer medications as prescribed and complete medication administration records for children in care.
* Have written physician approval for use of herbal supplements, folk remedies, natural medicines and vitamin supplements.
* Caregivers shall be in a state of physical, mental and emotional health, and shall not be impaired due to the use of alcohol or other chemicals to ensure health, safety and welfare of children in care.
* Provide for ongoing medical, dental, mental health, eye care for children in care.
* Have health assessments, tb and immunization for all persons residing in the home.
* Smoking is prohibited in the family foster home or attached garages.
* Emergency plans posted for fire, tornadoes, storms, floods and serious injury.
* Emergency numbers posted.
* Monthly Fire drills conducted and documented; Tornado Drills conducted April through September and documented.

**Buildings and Grounds Safety Requirements: KAR 28-4-820; KAR 28-4-821; KAR 28-4-823 through KAR 28-4-825**

* Foster Home is maintained to assure the health, safety, and welfare of occupants and meets the legal requirements of the community as to zoning, fire protection, water supply and sewage disposal.
* Home is clean, free from accumulated clutter and debris, free of rodent or vermin infestation, and dishes are washed.
* Stairways are guarded on each side and one side has a handrail. Stairs have attached baby-gate at top of stairs if a child under 3 years of age is present, pressure gate can be used at bottom of stairs. Space between balusters or railings is less than 4 inches or guarded, if home licensed for children under 6 years of age.
* Electrical outlets are covered or tamper resistant if licensed for children under 6 years of age.
* Working bathroom that offers privacy and can be unlocked without the use of a key.
* Working smoke detector on each level of the home and in bedrooms used by licensee and children in care.
* Working carbon monoxide adjacent to bedroom used by children in care and licensee bedroom.
* Working telephone on premises when children are present.
* All guns (bb, paint ball, pellet, air), knives, bows, arrows, swords, martial arts equipment is in locked and inaccessible to children. Ammunition is in locked storage and inaccessible to children.
* All prescription and nonprescription medications, supplements, vitamins, and pet medications are in locked storage and inaccessible to children. Use of a key, combination, or magnetic lock is acceptable. If medications are stored with other items, the medications must be in a separate locking container.
* Sharp instruments, bodily care products with warnings to keep out of reach of children and anything that contains alcohol shall be locked or out of reach for child under 6 years of age. Other chemicals and cleaning supplies with warning labels need to be in locked storage or stored out of reach of any child under 10 years of age. Tools, tobacco, tobacco products, lighters and matches need to be inaccessible to any person under 18 years of age.
* Home needs to have sufficient sleeping space to accommodate all family members and each child in foster care. Spaces not allowed for use as a sleeping space are use an unfinished attic or basement, hall, closet, laundry room, garage, any room that provides routine passage to another room or outside or any room that is normally used for other than sleeping.
* Bedrooms used by children in care need to have a solid hinged door, allow for a minimum of 70 sq. feet if single or 45 square feet per child if shared. Bedroom shall have 2 exits from the room one which leads directly outside. The bedroom shall have a window that measures a width of 20 inches and height of 24 inches that allows egress and is within 44 inches of the floor. A sliding door shall be easily opened. Children sharing a room shall be the same gender if over the age of 5 years.
* Privacy for all bedrooms shall be ensured.
* Children in care need an individual bed that is intact, fully functional and accommodates the size of the child. Appropriate bedding shall be provided. Top bunk bed must be railed on all 4 sides and can be used by children 6 years of age and older.
* Cribs shall be used by children under 12 months, space between the railings shall not exceed 2 3/8 inches and no soft products shall be in the crib. (Bumper pads, pillows, comforters, stuffed toys.) Corner posts should not exceed 1 1/16 in height. Children between 18 and 30 months require a written physician’s order to sleep in a crib.
* Outside premises shall be free from objects, materials and conditions that pose a health or safety hazard to children in care.
* Children under 6 years of age shall not have unsupervised access to any accumulated water, any rail road tracks, or busy streets.
* Any unfenced play areas require a safety plan to address boundaries and identify the safe play space. Children in foster care shall be protected from all safety hazards within 50 yard of the residence. (Busy street, railroad tracks, water hazard, standing water over 24 inches deep.)
* Trampolines are prohibited on the premises of the foster home.
* In ground swimming pools must be enclosed by a 5 foot fence with a self-closing and locking gate. Any above ground pool must be 4 feet high all around. The steps into the pool must be removed and inaccessible to children when not in use. Any above ground pool with a direct entrance from a deck must be enclosed with a 5 foot fence and self-closing and locking gate. PH and chlorine levels need to be recorded and pool rules posted. An individual who knows how to swim and is CPR trained or has a life-saving certificate must be in attendance when the pool is in use. A Rescue hook or buoy is required for pools more than 6 feet in width, length or diameter.
* Hot tubs must be locked with a locking cover or enclosed by a 5 foot fence with a self-closing, locking gate.
* Animals must be friendly and pose no threat. American Staffordshire Terriers, American Pit Bull, Staffordshire Bull Terriers, venomous and constricting reptiles are not allowed on the premises.