

## HOUSE BILL No. 2208

By Committee on Corrections and Juvenile Justice

2-4

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1 AN ACT concerning the commissioner of juvenile justice; powers to  
2 establish new community based service alternatives to residential care;  
3 new residential services levels; establishment of performance measures;  
4 and establishment of payment methodologies.  
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6 *Be it enacted by the Legislature of the State of Kansas:*

7 Section 1. (a) In order to ensure the most effective and efficient  
8 juvenile justice services are delivered in Kansas, the commissioner of  
9 juvenile justice may establish new and innovative community based  
10 programming as an alternative to residential care for juvenile offenders.

11 (b) In order to improve the efficacy and efficiency of the residential  
12 service system for juvenile offenders and to ensure their criminogenic  
13 needs are addressed, the commissioner of juvenile justice may establish  
14 new standards, performance-based outcomes and payment methodologies  
15 for residential services.

16 (c) The commissioner as part of changing any existing program or  
17 establishing new programming may:

18 (1) Establish performance measures and standards for each  
19 community based service, which include admission and discharge criteria  
20 and appropriate lengths of service;

21 (2) establish contractual reporting timelines for data to be submitted  
22 related to performance measures to be collected from each contracted  
23 provider. Data shall be collected not less than quarterly;

24 (3) establish mechanisms for the longitudinal reporting and tracking  
25 of youth to determine both short and long term efficacy of the programs;

26 (4) establish evidence-based practices or cognitive behavioral  
27 interventions which may be required to be provided by the program;

28 (5) require the use of an evidence-based screening or assessment tool  
29 for youth to be eligible for any service; and

30 (6) establish requirements that are more stringent than the licensing  
31 standards used by the department of health and environment to be a  
32 contract provider.

33 (d) Performance measures shall have standard definitions which are  
34 established by the commissioner. Performance measures may include, but  
35 not be limited to:

36 (1) Recidivism rates of youth served by the program are consistent

1 with national best practices;

2 (2) youth's educational progress or attainment of a high school  
3 diploma, general educational development (GED) certificate, or progress  
4 in a career or technical education program;

5 (3) measures of safety and welfare of the youth, which may include  
6 such things as the number of runaways from the facility, number of reports  
7 of abuse or neglect, number of injuries sustained by youth or staff, or other  
8 incidents;

9 (4) measures of the programs engagement in community activities  
10 promoting pro-social relationships such as faith-based programming,  
11 opportunities for mentorship, and community service; and

12 (5) any measure determined by the commissioner which would  
13 demonstrate the efficiency and effectiveness of the program on addressing  
14 the needs of juvenile offenders.

15 (e) The commissioner may make public and distribute each contract  
16 provider's performance related to performance measures.

17 Sec. 2. (a) In order to promote evidence-based programmatic delivery  
18 specifically targeted to meet juvenile offenders needs, the commissioner of  
19 juvenile justice may establish new payment methodologies and payment  
20 rates specific to services for juvenile offenders.

21 (b) The commissioner may create or utilize payment methodologies  
22 related to any service which may include, but not be limited to:

23 (1) Tiered payments for service programs serving moderate to high-  
24 risk youth;

25 (2) payments tied to performance in relationship to achievement of  
26 positive performance measures;

27 (3) incentive payments for positive program outcomes;

28 (4) periodic adjustment of payments based upon performance; and

29 (5) any other payment methodologies the commissioner deems  
30 appropriate.

31 (c) The commissioner may create a schedule for changes to payment  
32 methodologies or payment rates.

33 Sec. 3. The commissioner of juvenile justice shall report to the house  
34 committee on corrections and juvenile justice and the senate committee on  
35 judiciary at the beginning of the 2014 legislative session the progress that  
36 has been made toward establishing new community based services,  
37 performance measures, and new payment methodologies.

38 Sec. 4. This act shall take effect and be in force from and after its  
39 publication in the statute book.