

## MINUTES

### SPECIAL COMMITTEE ON FOSTER CARE ADEQUACY

January 11, 2016  
Room 159-S—Statehouse

#### Members Present

Senator Forrest Knox, Chairperson  
Representative Connie O'Brien, Vice-chairperson  
Senator Laura Kelly  
Senator Mary Pilcher-Cook  
Representative Erin Davis  
Representative Willie Dove  
Representative Annie Tietze

#### Staff Present

Iraida Orr, Kansas Legislative Research Department  
Robert Gallimore, Kansas Legislative Research Department  
Amy Deckard, Kansas Legislative Research Department  
Lauren Douglass, Kansas Legislative Research Department  
Natalie Nelson, Kansas Legislative Research Department  
Jennifer Ouellette, Kansas Legislative Research Department  
Scott Abbott, Office of Revisor of Statutes  
Renaë Jefferies, Office of Revisor of Statutes  
Gary Deeter, Committee Secretary

#### Others Attending

[See attached list.](#)

#### Afternoon Session

#### Welcome and Committee Instructions

Chairperson Knox called the meeting to order at 1:04 p.m. and referenced the draft of the Committee Report prepared by the Kansas Legislative Research Department (KLRD) to be submitted to the 2016 Legislature after the Committee has an opportunity to discuss and approve any recommendations to be included in the report ([Attachment 1](#)).

Responding to a question about provided documentation, Robert Gallimore (KLRD) replied that the comparisons among states' Safe Families Acts identify only states that have passed legislation. Some states, such as Illinois, operate on the Act's principles without legislative action ([Attachment 2](#)).

### **Committee Deliberation and Recommendations for Committee Report**

Chairperson Knox reviewed the charge given to the Committee and invited recommendations from members.

*A motion was made by Senator Pilcher-Cook and seconded by Senator Knox that, in considering the placement of a foster child, evidence-based factors on family structure should be given high priority.*

Extended discussion followed. Members discussed what evidence is considered most reliable, who decides what evidence to use, and what other factors may be of more importance than family structure. Further discussion centered on how the "best interest of the child" is determined and by whom. A member suggested the oversight of foster-care contractors by the Kansas Department for Children and Families needs to be improved to assure contractors focus on the child's welfare rather than increasing the contractor's bottom line. A member suggested the possible inclusion of language regarding consideration of trauma to the child as a result of removal from the home.

*After discussion, the wording of the motion was clarified as follows: That, in considering the best interest of the child, evidence-based peer-reviewed research on family structure be considered a high priority in making foster care placement decisions.*

The motion passed 5-1. Representative Tietze was recorded as voting "no."

*A motion was made by Representative O'Brien and seconded by Representative Dove to recommend legislation be introduced creating a foster-care oversight committee similar to the Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight.*

*After brief discussion, Representative Davis offered a substitute motion, seconded by Senator Kelly, to recommend legislation be introduced to create a foster care oversight committee similar to the Robert G. (Bob) Bethell Joint Committee on Home and Community Based Services and KanCare Oversight; and in the alternative, should legislation creating a foster care oversight committee not be approved, recommending a Senate Committee and a House Committee each be charged with reviewing the topic of foster care. The substitute motion passed, unanimously.*

The Committee was supportive of legislation being introduced during the 2016 Legislative Session to create a foster care oversight committee, but did not request a bill be drafted on behalf of the Committee.

*A motion was made by Senator Kelly, seconded by Representative Tietze, to recommend that the Legislative Post Audit Committee accept a request for a foster-care audit.*

Following discussion, Senator Kelly withdrew the motion.

## **Approval of November 17, Minutes**

*By motion of Representative Davis, second by Senator Pilcher-Cook, and unanimous vote of the Committee, the minutes for November 17, 2015, were approved.*

## **Adjourn**

The meeting was adjourned at 1:53 p.m. No further meeting was scheduled.

Prepared by Gary Deeter  
Edited by Iraida Orr and Robert Gallimore

Approved by the Committee on:

February 16, 2016  
(Date)