

February 5, 2019

House Children and Seniors Committee
Testimony in Support of HB 2103

Honorable Daniel Cahill
District Judge, 29th Judicial District, Wyandotte County

Chairperson Concannon and members of the committee:

History

I am testifying in support of HB 2103. The Family First Prevention Services Act of 2016 (Act) was approved by Congress and signed by President in February 2018. The Act reforms the child welfare system by providing, for the first time, federal funding for prevention services, and mandating judicial oversight on the use of congregate care or Qualified Residential Treatment Programs (QRTP).

A committee comprised of individuals from the Supreme Court Task Force on Permanency Planning (SCTFPP), the Department for Children and Families (DCF), and the Kansas Judicial Council Child in Need of Care/Juvenile Offender committee reviewed the Act and determined which sections would need to be addressed by DCF through the Policy and Procedure Manual and which sections that would require statutory revision. HB 2103 contains the identified statutory revisions.

Overview

- Defines a "Qualified Residential Treatment Program (QRTP)."
- Makes technical amendments to the definition of "Secure facility."
- Mandates DCF to notify the court when a child is placed in a QRTP facility. If a hearing is requested, the court will review the placement of the child and determine if a QRTP is the appropriate level of care.
- Amends the contents of a child in need of care petition to include a copy of the prevention plan, if one has been prepared for the child.
- Amends the permanency hearing requirements concerning children placed in QRTP to include findings related to treatment and services and efforts to place the child in a less restrictive placement or return home.
- Amends the permanency hearing section to require the court to set a subsequent permanency hearing if reasonable efforts have not been met or the reasonable and prudent parenting standard has not been met.

Conclusion

The Family First Prevention Services Act will change the practice of child welfare by focusing on preventing removal of children from the home by providing necessary services and, if a child must be removed, placing that child in the most family-like setting. HB 2103 Is Kansas's first step in meeting the Act's goal.

I will stand for any questions.