

SPECIAL COMMITTEE ON CHILD CARE CENTERS AND CHILD CARE HOMES

Response to Requests from Child Care Presentation on Sept. 26, 2023

by Child Care Licensing (CCL), Kansas Department of Health and Environment (KDHE)

Member	Request	Response
Rep. Blew	What is the cost of starting a facility? What are the ongoing costs from KDHE? What are the local licensing fees?	<i>See Appendix 1, Attachments 1-6</i>
Sen. Pettet	What are the costs of the currently waived fees going to be after the ARPA funding covering them runs out? Note: Related to question 1 from Rep. Blew	<i>See Appendix 1</i>
Sen. O’Shea	What are the childhood deaths in care compared to childhood deaths that occur outside of care?	<i>See Appendix 2</i>
Rep. Titus	What metrics other than timeliness are used to evaluate licensing specialists quality?	<i>See Appendix 3, Attachments 7 and 8</i>
Sen. Gossage	How many CCL employees are there and what is the total budget for CCL?	<i>See Appendix 4 for staff information</i> <i>See Appendix 5 for budget and funding information</i>
Rep. Blew	How much federal funding does CCDF provide and what were the requirements that needed to be met during this regulatory review? Part 2: Are there regulations that could be put into statute to ease the regulatory process?	<i>See Appendix 5 for funding information</i> <i>See Attachment 9 for CCDF compliance report</i> <i>See Appendix 6 for response</i>
Sen. Dietrich Sen. O’Shea	Can fingerprints/background check information be shared between agencies?	No, new fingerprints are required. This is because background check information cannot be shared between agencies or businesses and each agency or business may have specific prohibitions mandated by law. <i>See Appendix 7</i>

Appendix 1: State & Local Child Care Licensing Fees

Q: What is the cost of starting a facility?

A: Refer to the below table for license fees. Currently, these fees are waived until 30 September 2024 (made possible through an agreement with the Department for Children and Families). As specified in K.A.R. 28-4-96, the cost of a background check is \$48.00 per person requiring one. This fee is currently waived and is anticipated to be waived until at least June 30, 2026. It is important to note that local fees outside of KDHE may apply, including licensing or collecting fingerprints.

KDHE CCL License and Renewal Fees

Facility Type	Cost	Maximum Cost Allowed (As Specified in K.S.A. 65-505)	References
Licensed Day Care Home	\$75.00 + \$1.00 x the license capacity	\$75.00 + \$1.00 x the license capacity	K.A.R. 28-4-92
Group Day Care Home	\$75.00 + \$1.00 x the license capacity	\$75.00 + \$1.00 x the license capacity	K.A.R. 28-4-92
Child Care Center	\$75.00 + \$1.00 x the license capacity	\$75.00 + \$1.00 x the license capacity	K.A.R. 28-4-92
Preschool (13 or more children)	\$35.00 + \$1.00 x the license capacity	\$75.00	K.A.R. 28-4-92
Preschool (less than 13 children)	\$15.00	N/A	K.A.R. 28-4-92
School-Age Program	\$20.00	N/A	K.A.R. 28-4-580
Amendments (School-Age Programs only)	\$35	\$35	K.A.R. 28-4-578
Drop-In Program	\$20.00	N/A	K.A.R. 28-4-701

Q: What are the ongoing costs from KDHE?

A: Please see above table for license renewal costs. Each child care staff member (affiliate) requiring a background check will need a new one processed every 5 years. As specified in K.A.R. 28-4-96, the cost of a background check is \$48.00 per person requiring one. As stated above, all licensing application fees are waived until September 30, 2024 and all background check fees are anticipated to be waived until at least June 30, 2026. It is important to note that local fees outside of KDHE may apply, including licensing or collecting fingerprints.

Q: What are the costs of the currently waived fees going to be after the ARPA funding covering them runs out?

A: See answer above – all fees will apply once they are no longer waived.

Waiving all background checks and licensing fees requires an approximate annual investment of \$909,645. This is calculated by utilizing 2022 data. See below for a cost breakdown of the total amount of fees:

- 2022 Initial Applications – 838
- 2022 Renewal Applications – 3,969
 - \$75/application (not including the +\$1.00 times the license capacity)
 - Equals waived fees of approximately \$360,525
- 2022 Background Checks – 11,440
 - Average cost \$48/background check
 - Equals waived background check fees of approximately \$549,120

Note that because the above calculations do not include amended licenses, the specific cost of renewals specific to the facility type, or the incorporation of the 5-year fingerprinting renewal, this total number is underreported. The expected

fingerprinting renewals will begin in 2024 and is expected ~10,000 renewals will be required during the first year of implementation in addition to background checks being conducted for new staff within normal operations.

Q: What are the local licensing fees?

A: KDHE CCL contracts with local agencies through the agency’s Aid to Local (ATL) process. Counties have the authority to set their own fee structure, and there is great variability across contractors depending on the type and capacity of a facility (see table below). Fees are levied by counties to cover the cost of implementing the licensing program at the local level since ATL CCL awards do not cover the full cost of programming. Work is comprehensive in nature and is not limited to conducting inspections or facility monitoring. To eliminate or reduce local fees, KDHE would need to address the matter in ATL contract requirements (removing local authority to set fees) and increase the ATL budget allocation so state funding covered the full cost of staffing and implementing the program at the local level.

Local CCL Contractor Fees SFY 2021		
Agency	Counties	Fees
Barton County Health Department (CHD)	Barton, Ellsworth, Pawnee, Rice, Rush and Stafford	Orientation: No fee Initial Survey Fee: LDCH/GDCH- \$50 or \$40 if paid same day or within 30 days. Preschool, School age program and Centers- \$100 or \$90 if paid that day or within 30 days. Annual Survey Fee: - \$50 or \$40 if paid same day or within 30 days. Preschool, School age program and Centers- \$100 or \$90 if paid that day or within 30 days. Standalone Compliance Check Fee: No fee Complaint Survey Fee: No fee Does your city/county assess a license fee? If yes, cost?: No
Butler CHD	Butler	Orientation: No fee Initial Survey Fee: \$85 (Licensed) or \$87 (Group) Annual Survey Fee: Base Fee \$55 plus \$3 per child enrolled Standalone Compliance Check Fee: \$20, Subsequent Compliance Check is \$25 Complaint Survey Fee: Substantiated Complaint: \$20 Does your city/county assess a license fee? If yes, cost?: <ul style="list-style-type: none"> • Augusta: \$10/year • El Dorado: Must live in the home. • Rose Hill: No • Andover: Not at this time. Each HOA has their own fees for in-home businesses. • County: Not for residential based owners, but for center-based owners must submit a conditional use fee which is \$400.
Cloud CHD	Cloud, Jewell, Lincoln, Mitchell, Osborne, Phillips, Republic, and Smith	Orientation: No fee Initial Survey Fee: \$50 fee Annual Survey Fee: \$50 fee Standalone Compliance Check Fee: \$25 Complaint Survey Fee: No fee Does your city/county assess a license fee? If yes, cost?: N/A
Cowley (City) CHD	Chautauqua, Cowley, Elk, Harper, and Sumner	<u>Home and Group DCH:</u> Initial fee: \$75 Annual fee: \$75 Compliance fee: \$30 (if non-compliant at 2 nd visit)

		<p><u>Annual and Initial for:</u> Center: \$100 base plus \$2 per child (maximum capacity) Preschool: \$65 base plus \$2 per child Compliance fee: \$30 (if non-compliant at 2nd visit)</p>
Crawford CHD	Bourbon, Cherokee, Crawford, Neosho	<p>Orientation: LDCH \$30 & Centers/PS/SAP \$50 Initial Survey Fee: Included in Orientation fee. Only charged if due to a move. LDCH \$30 &Centers/PS/SAP \$50 Annual Survey Fee: LDCH \$30 & Centers/PS/SAP \$50 Standalone Compliance Check Fee: Only charge after the 2nd Compliance Check. \$20 Complaint Survey Fee: No charge Does your city/county assess a license fee? If yes, cost?: No</p>
Douglas (Lawrence) CHD	Lawrence	<p>Orientation: \$40 Initial Survey Fee: \$100 Annual Survey Fee: \$75 Standalone Compliance Check Fee: Now included in initial/annual fee. No longer a separate fee. Complaint Survey Fee: No fee. Does your city/county assess a license fee? No If yes, cost?: N/A</p>
Flint Hills Community Health Center	Chase, Coffey, Lyon, Marion, Morris, Osage, and Wabaunsee	<p>Orientation: \$15 for homes, \$25 for centers Initial Survey Fee: \$50 LDCH in Lyon, \$60 for GDCH in Lyon; \$60 for LDCH in all our other counties, \$70 for GDCH in all other counties. We are planning to standardize this across counties by the end of the year. \$125 for CCC/PS. \$100 for SAP. Annual Survey Fee: Same as initial Standalone Compliance Check Fee: \$20 Complaint Survey Fee: \$50 for substantiated complaints Does your city/county assess a license fee? If yes, cost?: No</p>
Johnson CHD	Johnson and Miami	<p><u>Johnson</u> Initial Survey Fee: L/GDCH \$100 Annual Survey Fee: L/GDCH \$85 <u>Miami *subject to increase</u> Initial Survey Fee: L/GDCH \$50 Annual Survey Fee: L/GDCH \$42.50 See Attachment 1 for fee breakdown.</p>
Labette CHD	Labette	<p>Orientation: \$30 Initial Survey Fee: \$40 Annual Survey Fee: \$40 Standalone Compliance Check Fee: \$0 Complaint Survey Fee: \$20 Does your city/county assess a license fee? If yes, cost?: No</p>
Leavenworth CHD	Leavenworth	<p>Orientation: NC Initial Survey Fee: LDCH \$50, GDCH \$100 Annual Survey Fee: LDCH \$50, GDCH \$100 Standalone Compliance Check Fee: Homes: \$40/HR EACH ADDITIONAL H \$30, CENTERS: \$65/HR EACH ADDITIONAL HOUR 45/HR Complaint Survey Fee: Substantiated - Homes: \$40/HR EACH ADDITIONAL H \$30, CENTERS: \$65/HR EACH ADDITIONAL HOUR 45/HR</p>

		Does your city/county assess a license fee? Home providers are required to get a Special use permit. Cost is approximately \$300. I don't know how much the city or county charges Centers for a Business License
Montgomery CHD	Montgomery and Wilson	Orientation: L/GDCH - \$25 (individual or group session). CCC/PS/SAP - \$50 (individual or group session). Initial Survey Fee: L/GDCH - \$25 and CCC/PS/SAP - \$50 Annual Survey Fee: L/GDCH - \$25 and CCC/PS/SAP - \$50 Standalone Compliance Check Fee: No fee Complaint Survey Fee: No fee Does your city/county assess a license fee? If yes, cost?: No
NEK Multi County HD	Atchison, Brown, Doniphan, Jackson, Jefferson, Marshall, Nemaha, and Washington	Orientation: No fee Initial Survey Fee: \$50 License/Group Home \$100 Preschools/Centers Annual Survey Fee: \$50 License/Group Home \$100 Preschools/Centers Standalone Compliance Check Fee: \$25 Complaint Survey Fee: \$50 (if substantiated) Does your city/county assess a license fee? If yes, cost?: Varying from no fees to fees - all providers are instructed during orientation to check into their city/county fees
Reno CHD	Reno, Harvey	Orientation: Class \$20.00 Individual orientation (15 Minute =1 unit) \$5 Initial Survey Fee: LDCH/GDCH - \$30. Preschool, CCC, SAP, Drop in - \$60 Annual Survey Fee: None Standalone Compliance Check Fee: None Complaint Survey Fee: Non Does your city/county assess a license fee? If yes, cost?: Annual Renewal for LCDH and GDCH - \$30. Preschool, CCC, SAP, Drop-in = \$60
Riley CHD	Riley, Clay, Dickinson, Geary, and Pottawatomie	See Attachment 2 for fee breakdown.
Saline CHD	McPherson, Ottawa and Saline	See Attachment 3 for fee breakdown.
Sedgwick (City of Wichita)	Sedgwick	See Attachment 4 for fee breakdown.
SEK Multi County HD	Allen, Anderson, Franklin, Greenwood, Linn, and Woodson	Orientation: \$50.00 Initial Survey Fee: Included in orientation charge Annual Survey Fee: \$40 LDCH, \$50 Group \$100 Center Standalone Compliance Check Fee: \$15 Complaint Survey Fee: No fee Does your city/county assess a license fee? If yes, cost?: No
Seward CHD	Seward	* Surveyor out on leave. Unable to assess.
Shawnee CHD	Shawnee	Orientation: \$20 Initial Survey Fee: Please see below Annual Survey Fee: Please see below Standalone Compliance Check Fee: First KDHE requested compliance check fee is: \$50, second is \$100 and third is \$200, and fourth is \$300.

		<p>Complaint Survey Fee: \$0</p> <p>Does your city/county assess a license fee? If yes, cost?:</p> <p>LDCH-\$100 (Base fee is \$60, \$4 per child on the license)</p> <p>GDCH-\$108 (Base fee is \$60, \$4 per child on the license)</p> <p>CCC/PS/SA- Varies (Base fee is \$100, \$4 per child on the license)</p> <ul style="list-style-type: none"> This amount is paid when initially getting licensed and annually. Shawnee County Providers pay the fees for annual renewal quarterly based on their KDHE license expiring. <p>See Attachment 5 for fee breakdown.</p>												
Sherman CHD	Cheyenne, Decatur, Gove, Logan, Rawlins, Sheridan, Sherman, Thomas, and Wallace	<p>Orientation Fee: \$25.00</p> <p>Initial/ Annual Inspection:</p> <table style="margin-left: 40px;"> <tr> <td>Licensed Daycare Home</td> <td style="text-align: right;">\$55.00</td> </tr> <tr> <td>Group Daycare Home</td> <td style="text-align: right;">\$70.00</td> </tr> <tr> <td>Preschool/ Child Care Center</td> <td style="text-align: right;">\$95.00</td> </tr> </table> <p>Standalone Compliance Check Fee:.</p> <table style="margin-left: 40px;"> <tr> <td>Second Compliance Check</td> <td style="text-align: right;">\$30.00</td> </tr> <tr> <td>Third Compliance Check</td> <td style="text-align: right;">\$40.00</td> </tr> <tr> <td>Fourth Compliance Check</td> <td style="text-align: right;">\$50.00</td> </tr> </table>	Licensed Daycare Home	\$55.00	Group Daycare Home	\$70.00	Preschool/ Child Care Center	\$95.00	Second Compliance Check	\$30.00	Third Compliance Check	\$40.00	Fourth Compliance Check	\$50.00
Licensed Daycare Home	\$55.00													
Group Daycare Home	\$70.00													
Preschool/ Child Care Center	\$95.00													
Second Compliance Check	\$30.00													
Third Compliance Check	\$40.00													
Fourth Compliance Check	\$50.00													
Wyandotte (Unified Gov)	Wyandotte	<p>Orientation: Home facility \$10 and CCC/PS/SAP \$25</p> <p>Preliminary Site Fee/Consultation: \$50</p> <p>Annual Survey Fee:</p> <ul style="list-style-type: none"> Home facility – \$110 CCC/PS/SAP – Varies on capacity from \$160 to \$335 <p>Standalone Compliance Check Fee: \$30</p> <p>Complaint Survey Fee: None</p> <p>Amendment Fee: \$35</p> <p>See Attachment 6 for fee breakdown.</p>												
KDHE (Note: There is no local contract covering these counties. KDHE employees serve as the licensing specialist.)	Barber, Clark, Comanche, Edwards, Ellis, Finney, Ford, Graham, Grant, Gray, Greeley, Hamilton, Haskell, Hodgeman, Kearney, Kingman, Kiowa, Lane, Meade, Morton, Ness, Norton, Pratt, Rooks, Russell, Scott, Stanton, Stevens, Trego and Wichita	No fees												

Homes Fee Schedule

Homes

Initial	\$100.00
Renewal	\$85.00
Mission Visit	\$30.00

State Licensing Fee

Licensed daycare home	\$85.00
Group daycare home	\$87.00

Compliance Checks & Follow Up visits

0 – 30 minutes	\$40.00
31 to 60 minutes	\$80.00
Each Additional 15 minutes	\$45

Resource and Referral Agencies

Initial and Renewal	\$115
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Other Fees

Amendment with No Visit	\$20	\$25
Amendment Onsite	\$40	

Effective July 1, 2016

Centers/PS/SAP

Mission
Initial and Renewal \$30.00

Initial Visit Fees

25 Or Fewer Children \$485.00
26-50 \$560.00
51-75 \$650.00
76-100 \$725.00
101-150 \$880.00
151 Or More \$1055.00

Annual Visit for Center/ Preschool/SAP fees

25 Or Fewer Children \$240.00
26-50 \$290.00
51-75 \$400.00
76-100 \$ 450.00
101-150 \$ 690.00
151 Or More \$925.00

KDHE Required Compliance Checks & Follow Up visits & Amendments visits requiring measurements

0 – 30 minutes \$95
31 to 60 minutes \$95 (\$190 total for first 60 minutes)
Each Additional 15 minutes \$50

Other Fees

Amendment with No Visit \$30.00
On site Consultations \$40/hr. One Hour Minimum

State Licensing Fee

\$75.00 plus \$1.00 for each child in the total capacity.

Miami Center Fee Schedule Effective July 14, 2020

Centers/PS/SAP

State Licensing Fee

Initial and Renewal \$15.00

Initial Visit Fees

25 Or Fewer Children	\$242.50
26-50	\$280.00
51-75	\$325.00
76-100	\$362.50
101-150	\$440.00
151 Or More	\$527.50

Annual Visit for Center/ Preschool/SAP fees

25 Or Fewer Children	\$120.00
26-50	\$145.00
51-75	\$200.00
76-100	\$ 225.00
101-150	\$ 345.00
151 Or More	\$462.50

KDHE Required Compliance Checks & Follow Up visits & Amendments visits requiring measurements

0 – 30 minutes	\$47.50
31 to 60 minutes	90 \$47.50 (\$95 total for first 60 minutes)
Each Additional 15 minutes	\$25

Other Fees

Amendment with No Visit	\$15.00
On site Consultations	\$20/hr. One Hour Minimum

Miami Homes Fee Schedule

Homes

Initial	\$50.00
Renewal	\$42.50
Mission Visit	\$15.00

State Licensing Fee

Licensed daycare home \$85.00
Group daycare home \$87.00

Compliance Checks & Follow Up visits

0 – 30 minutes	\$20.00
31 to 60 minutes	\$40.00
Each Additional 15 minutes	\$22.50

Resource and Referral Agencies

Initial and Renewal \$57.50

Other Fees

Amendment with No Visit	\$10.00	\$12.50
Amendment Onsite	\$20.00	

Attachment 2: Riley, Geary, Clay, Dickinson and Pottawatomie County Fees



Child Care Licensing Fees Effective August 2019
Riley, Geary, Clay, Dickinson and Pottawatomie Counties

Type of Program	Local Initial and Annual Fee	*KDHE Initial and Annual Fee	*KDHE Issued Compliance Check Fee	Substantiated Complaint Fee	Amendment Fee
Licensed Day Care Home (LDCH)	\$65.00	LDCH-\$85.00	\$50.00/visit	\$75.00	
Group Day Care Home (GDCH)		GDCH-\$87.00			
Child Care Center Head Start	\$105.00	\$75.00 plus license capacity	\$50.00/visit	\$100.00	\$50.00
Preschool	\$105.00	\$35.00 plus license capacity-not to exceed\$75.00	\$50.00/visit	\$100.00	\$50.00
School Age Programs	\$80.00	\$20.00	\$50.00/visit	\$50.00	
School Age Drop-In Programs	\$65.00	\$20.00	\$50.00/visit	\$50.00	
Resource and Referral Agency	\$35.00	\$20.00	\$50.00/visit	\$50.00	

Orientation fees- Licensed and Group Homes-\$10.00 and Centers-\$25.00. Orientation fees will be applied towards local initial fee when applying.

* KDHE-Kansas Department of Health and Environment

For questions or concerns contact Heather Ritchey, Child Care Licensing Supervisor, at 785-776-4779 Ext 7604

Attachment 3: Saline County Fees

**SALINE COUNTY
HEALTH DEPARTMENT**



We are good for your health!

Administration
785-826-6600
Fax: 785-826-6605

Child Care Services
785-826-6600
Fax: 785-826-6605

Clinic Services
785-826-6602
Fax: 785-826-6619

Home Health Agency
785-826-6606
Fax: 785-826-6652

MCH
785-826-6600
Fax: 785-826-6605

WIC
785-826-6603
Fax: 785-826-6619

Saline County Health Department
125 W. Elm
Salina, KS 67401

CHILD CARE FEE INCREASES

EFFECTIVE 1-1-17

Substantiated complaint on all types of facilities	\$55.00
KDHE requested compliance inspections on all types of facilities	\$45.00

SALINE COUNTY

Licensed and Group Child Care Homes:	\$40.00
Resource and Referral Agency:	\$30.00
Preschools:	\$35.00 plus \$1.00 per child per license capacity
School Age Programs:	\$55.00
Child Care Centers:	\$55.00 per license plus:
	1-24 children \$25.00
	25-49 children \$50.00
	50-74 children \$75.00
	75 + children \$100.00

MCPHERSON AND OTTAWA COUNTIES

Licensed and Group Child Care Homes:	\$45.00
Resource and Referral Agency:	\$30.00
Preschools:	\$45.00 plus \$1.00 per child per license capacity
School Age Programs:	\$65.00
Child Care Centers:	\$65.00 per license plus:
	1-24 children \$25.00
	25-49 children \$50.00
	50-74 children \$75.00
	75 + children \$100.00

Attachment 4: Sedgwick County Fees



CHILD CARE LICENSURE SERVICE FEES

LICENSED CHILD CARE HOMES			
Type of Service or Facility	Initial & Annual Licensing Inspection (w/ one compliance check)	KDHE Compliance Check	KDHE Compliance Check Each Additional Hour
Licensed Day Care Home	\$88/96	\$54 first hour	\$48 each additional hour
Group Licensed Day Care Home	\$99/108	\$54 first hour	\$48 each additional hour
Substantiated Complaint		\$54 first hour	\$48each additional hour
License Amendment	\$45	-	-
Orientation	\$15 per person		

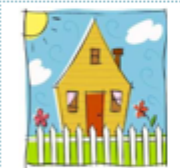
CHILD CARE CENTERS, PRESCHOOLS, SCHOOL AGE PROGRAMS, DROP IN PROGAMS & SUMMER CAMPS				
Maximum Number of Children Allowed	Initial Licensing Inspection	Annual Renewal Inspection	KDHE Compliance Check - 1st Hr	KDHE Compliance Check each additional hour
1-25	\$291.50/ \$318	\$220/\$240	\$138	\$90
26-50	\$341/\$372	\$247.50/\$270	\$138	\$90
51-75	\$385/\$420	\$291.50/\$318	\$138	\$90
76-100	\$434.50/\$474	\$319/\$348	\$138	\$90
101-150	\$522.5/\$570	\$401.5/\$438	\$138	\$90
151 and up	\$621.5/\$678	\$462/\$504	\$138	\$90
Additional Services		Service Fee	Additional or Follow Up Fees	
License Amendment : Add on a room(s) or increase capacity		\$75 first room	\$115 two or more rooms	
License Amendment : Name Change		\$75		
Customer Requested Blue Print Review		\$75	\$45 each follow up visit	
Customer Requested Preliminary Building Inspection		\$115	\$75 each follow up visit	
Customer Requested Consultation		\$75	\$75 each follow up visit	
Substantiated Complaint		\$138 first hour	\$90additional hour	
Orientation		\$25 per person		

RESOURCE and REFERRAL			
Type of Facility	Initial & Annual License Inspection Fee	KDHE Compliance Check - 1st hr	KDHE Compliance Additional Hrs
Resource & Referral	\$126.50	\$126.50	\$82.50

ADDITIONAL SERVICES	SERVICE FEE	ADDITIONAL OR FOLLOW UP FEES
Provider Training Classes	\$15 per person	

1900 E. Ninth Street – Wichita, Kansas 67214
 Telephone (316) 268-8351 – Fax (316) 268-8390
www.wichita.gov

Rev. 1/2020 al



INFORMATION ABOUT THE SHAWNEE COUNTY CHILD CARE LICENSING REGULATIONS

On July 7th, 2011, the Shawnee County Board of Commissioners passed a resolution that created a new fee structure and requirements for a certificate for childcare facilities wanting to operate in Shawnee County.

Here are highlights of the resolution:

- ❖ A certificate is required for everyone who provides childcare services in Shawnee County.
- ❖ You must apply to the Shawnee County Health Department (SCHD) to receive the certificate.
- ❖ The Health Department can issue the certificate if you have done **all of the** following:
 - Gotten a temporary/full license to operate a childcare facility from KDHE
 - Paid the required certificate fee
 - Attended a childcare licensing orientation

CERTIFICATE FEE SCHEDULE

Facility Type	Base Fee	Per child fee	Total
Licensed and Group Daycare Homes	\$60.00	\$4	\$100.00-\$108.00
Child Care Center, Preschool, and School-age Programs	\$100.00	\$4	Varies
Drop-in Programs	\$200.00	N/A	\$200.00
Required Childcare Licensing Orientation Class			\$20.00
KDHE-requested Compliance Checks -First Visit*			\$50.00
KDHE-requested Compliance Checks- Second Visit*			\$100.00
KDHE-requested Compliance Checks -Third Visit*			\$200.00
KDHE-requested Compliance Checks- Fourth Visit on*			\$300.00

*The count for KDHE-requested Compliance Checks starts the inspection after your renewal visit and your first compliance check, if you get one. The count starts again at the beginning of each renewal year. Fees are non-refundable.

Rev. 06/2018

CHILD CARE LICENSING FEES

ORIENTATION FEE

DAYCARE HOMES	\$10
CENTERS/PRESCHOOLS & SCHOOL AGE PROGRAMS	\$25

ANNUAL FEE

LICENSED & GROUP DAYCARE HOMES	\$110
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CHILD CARE CENTERS, PRESCHOOLS & SCHOOL AGE PROGRAMS:

<u>LICENSED CAPACITY</u>	<u>FEE</u>
13-25	\$160
26-50	\$185
51-75	\$210
76-100	\$235
101-125	\$260
126-150	\$285
151-175	\$310
176-200	\$335

OTHER FEES BY TYPE

	FEE
PRELIMINARY SITE VISIT/CONSULTATION	\$50
KDHE REQUESTED COMPLIANCE CHECKS	\$30
AMENDMENT FEE	\$35

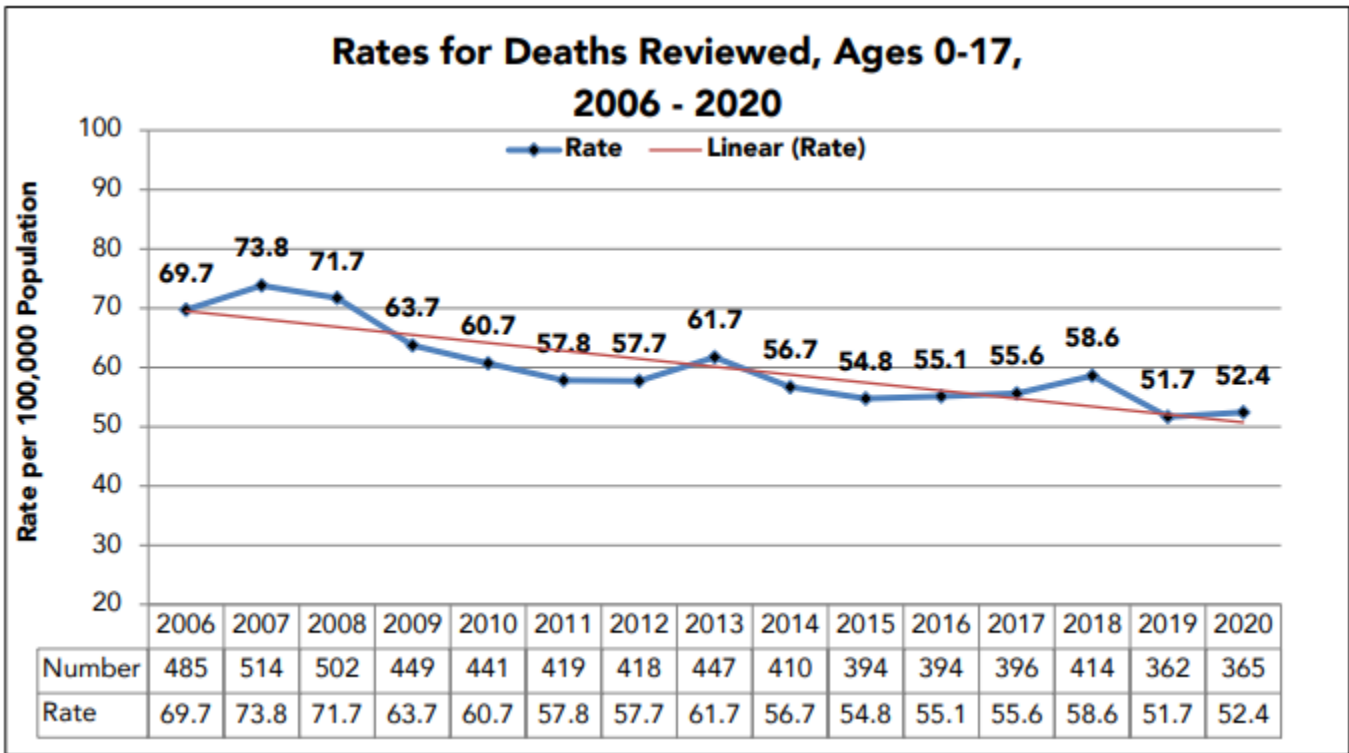
INSERVICE TRAINING CLASSES

PRE-REGISTERED	\$5
SAME DAY REGISTRATION	\$10

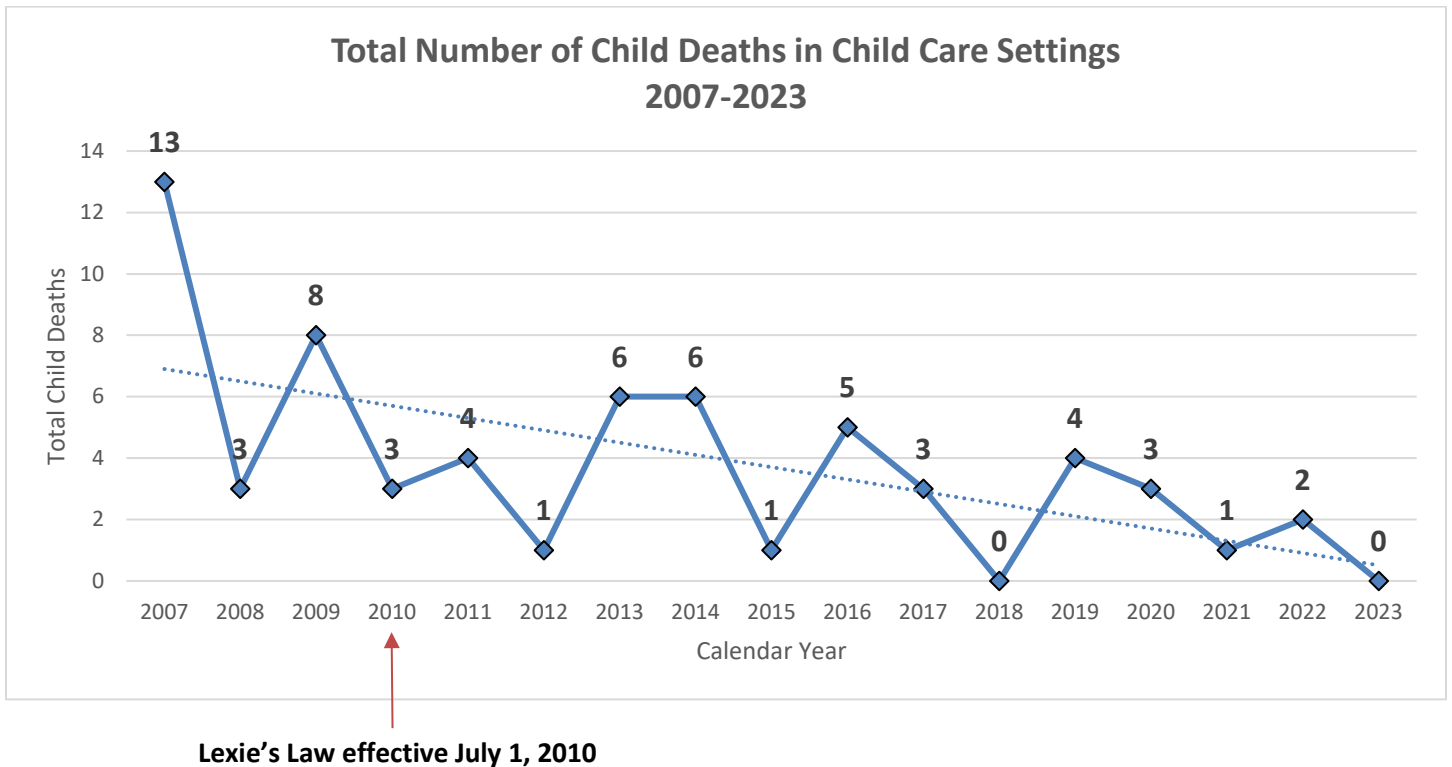
FEES UPDATED 6/2020

Appendix 2: All Child Deaths Compared to Deaths in Child Care

Kansas Child Deaths, 2006-2020, [State Child Death Review Board, 2022 Annual Report](#)



Kansas Child Deaths in Child Care Settings, 2007-2023 (as of June 30, 2023), KDHE



Appendix 3: Monitoring Performance & Quality of Licensing Specialists

Q: What metrics other than timeliness are used to evaluate licensing specialists' quality?

A: The Kansas Department of Health and Environment implements a hybrid model to conduct child care licensure activities at the community level. Local licensing specialists are a mix of KDHE employees and those contracted through local community agencies. Local licensing specialists are embedded in the community whenever possible, as a part of the broader coordinated public health system that benefits licensed facilities, children, and families. Regardless of the employer (KDHE or local community agency), licensing specialists fulfill a variety of functions to support licensees in their efforts to provide safe, healthy, and nurturing environments for the children in their care. Examples of these activities include recruitment and new applicant orientation, initial and annual facility inspections, complaint investigations, ongoing technical assistance and health and safety training.

Currently, 93% of licensing specialists work full time in their role. For context, over 20 years ago (2002) approximately 26% of the licensing workforce were considered working full-time in their role. Retention of full-time licensing staff is critical to consistency and overall quality of services. The reality is this work requires a complex skill set and proficiencies that are best maintained by full time staff who are fully immersed in the program requirements and procedures to better serve the public. Based on the data that noted inconsistencies in interpretation and service delivery among part-time licensing specialists, in 2018-2019 the KDHE began shifting towards a full-time workforce. This also includes moving towards a multicounty responsibility to support the fulltime workforce. This includes both contracted and KDHE licensing specialists.

KDHE and contractors strive to maintain licensing specialists' qualification requirements at a professional level with a 4-year degree in nursing, early childhood or elementary education, child development, human development, social work, or a related field. Licensing specialists may also be qualified at a technical level with an associate degree in child development, early childhood education, child care administration or LPN with training or experience in child care or child health. Approximately 2/3 of the current work force report 10+ years in early care services. Licensing specialists are former center directors, center teachers, in-home providers, nursing, sanitarian, or other health/public health related backgrounds. A licensing specialist is a part of the early childhood landscape and who can identify themselves on the proposed Career Pathway for Kansas Child Care Professionals. It is important to note this sector of the early childhood work force has not been immune to the current child care staffing shortage. In some instances, experience within regulated facilities has been substituted for the education requirements to fill licensing specialist vacancies.

KDHE is committed to supporting licensure specialists in the field. In addition to onboarding, KDHE provides ongoing training and tools necessary to support field interpretation of statutes and regulations and promote consistency. Resources from the National Association for Regulatory Administration (NARA) provide a greater understanding of the purpose of licensure, guiding principles, the licensure process, and the balanced use of authority and supportive relationships. A KDHE policy and procedure Manual which details the statutory authority (K.S.A. 65-501 et seq.), the licensure and inspection processes, documentation of regulatory non-compliance, the scope and severity of non-compliance particularly as it relates to increase of harm to children in care.

A significant portion of a licensing specialist time is spent conducting initial and annual inspections, sometimes referred to as "surveys," complaint investigations, and follow-up inspections to verify compliance following previously documented non-compliance. A licensing inspection is a snapshot in time, a reflection of the conditions in the moment. An initial inspection is required prior to the issuance of license (K.S.A. 65-504). Initial inspections for new facilities are scheduled. Pursuant to K.S.A. 65-512, facilities are inspected at least once every 12 months. Annual inspections are unannounced surveys and are generally conducted within a 90-day timeframe before the expiration of the facility license. Complaint investigations are also unannounced and are conducted when an allegation of a regulatory nature is expressed. Some inspection types may require a second unannounced visit, sometimes referred to as a compliance check. A licensing specialist spent an average of 1.5 hours onsite at the licensed facility during an initial inspection, 1.3 hours during an annual inspection and 1.2 hours during a complaint inspection. As the inspection is a snapshot in time, regulatory staff must also rely on the use of open-ended questions and facility documentation to determine compliance with unobserved child care practices. Inspections are conducted using an electronic, web-based application commonly

referred to as the CLARIS data system. In addition to allowing KDHE to collect valuable data related to the inspection process, enhancement to CLARIS have allowed applicants/licensee to submit applications and requests for background checks, update information and provides online access to facility compliance history to help parents make informed child care decisions.

In preparation of quarterly meetings with licensing specialists KDHE staff routinely review violation reports from the previous quarter. These reports highlight the frequency of regulations cited as non-compliant and include the actual verbiage describing the noncompliance noted during the inspection. The data allows KDHE to identify patterns and better understand when noncompliance cited clearly aligns with the specific regulation and well as possible misinterpretation of the regulation by either the by the licensee or licensing specialist. This is a powerful tool to track trends of practices and validate correct application of the regulations. This can translate to not only regulatory staff retraining but better licensing training and specific KDHE licensing program improvements. For example, noting increased safe sleep violations led KDHE to incorporate in the new applicant orientation process, clearer examples of unsafe sleep environments for children under 12 months of age. This improvement fosters a better understanding for the applicant and licensing specialist regarding napping practices.

The department utilizes an inter-relator reliability tool with new licensing specialists. This tool has also been shared for use with counties with more than two licensing staff. Through a shadow survey process, the tool evaluates the extent to which different staff agree in their assessment decisions. The importance of rater reliability during the inspection process helps ensure the observed, questioned, and reviewed practices are clear representations of the measured regulations. In addition, KDHE expectations and protocols that are not easily quantified on the electronic inspection instrument are observed, including advance preparation as well as provider engagement/technical support, resources shared and clearly outlined next steps. It is KDHE's expectation that both KDHE and contracted licensing specialists will undergo periodic shadow surveying as part of their own going coaching and professional development.

Similar to the philosophy afforded to all regulated child care facilities, licensing specialists are afforded opportunities for retraining, support, and guidance. Using all available tools, when an ongoing pattern of inconsistent work is noted, licensing specialists are further provided clear notification of needs for improvement. Attached is an example of a Child Care Licensing Level 1 Technical Assistance Document. In the provided example, the licensing specialist in question chose to vacate their position before the plan of correction was signed and implemented. The goal to provide clear a clear timeframe for retraining and clear observable, documentation of corrective action/improvements. If not met, a Level 2 Technical Assistance Document is available.

In summary, the department is data driven in their approach to quantifying quality. Regulatory work is a very "human field" where licensing staff strive to move away from inconsistency, understand the perception of authority while supporting licensed facilities in sometimes high stress, contentious scenarios. A true testament of consistency, understanding, and rationale provided by the licensing specialist can be directly correlated the high percentage of licensed facility found to be in substantial compliance with regulations following an onsite visit review of inspection findings. In the calendar year of 2022 fewer than 1% of facilities were referred for further review and possible higher-level enforcement following a repeat pattern of noncompliance.

See Attachments 7 and 8.

Attachment 7: Child Care Licensing Level 1 Technical Assistant Document Template

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Lee A. Norman, M.D., Secretary

Laura Kelly, Governor

Child Care Licensing Level 1 Technical Assistance Document

A Technical Assistance Document may be issued when there is a noted repeat pattern and lack of understanding of CCL procedures, regulation interpretation and/or onsite survey process.

This plan will be reviewed in a 30 day timeframe with noted sustainable change expected by the surveyor.

Surveyor Name: XXX

County: XXX

Summary of Training Provided to Date:

XXX has been with the program for approximately two years. With the onset of SFY 20, XXX participated in a targeted training with new surveyors to CCL. XXX has access to all surveyor manuals and field documents. XXX is a regular participant in Regional Meetings and receives regular field updates and reminders.

Recent Guidance Provided:

21-00: Violation lacked details. XXX was concerned that she was violating HIPPA. XXX explained that describing the physical limitation and how it relates to the care of children is not related to HIPPA. Stressed the importance of “painting the picture” of non-compliance. This is important for the general public, KDHE staff and most importantly the provider – to have a common understanding of not was out of compliance. A similar survey was also discussed regarding XXX’s hesitancy to document the non-compliance of a soiled bathroom stool. What was cited originally did not make sense nor align with the violation. As a regulatory agency it is the program’s due diligence to clearly capture the violation. Survey was submitted incorrectly. A NOSF was generated with a compliance date when one was not conducted stating the facility was in full compliance. This was incorrect. A second visit had not been conducted. KDHE required surveyor to go onsite and conduct the visit to correct the error. Survey Summary and Recommendation radio buttons selected did not align with the rest of the survey.

21-00: Complaint survey was returned due to lack of CCL 030a. When XXX requested assistance, it was noted that the Final Complaint Addendum generated by surveyor was missing a final violation and narrative lacked details of what took place at the facility directly related to the allegation. XXX added substantial details to support a clear narrative and XXX corrected the NOSF (this can only be done by CCL staff). Reviewed all documents required with a complaint survey.

21-00: Workflow was referred to surveyor to correct violation. Reviewed with XXX that “board” insert of a playpen is the products mattress and the NOSF does need to align with the correct regulation. Amended NOSF had incorrect date. Reviewed with surveyor how to correct the NOSF (following this a statewide reminder was sent to all surveyors on this particular NOSF process).

Area of Need Noted:

Complaint Survey: 20-00

1. This is a complaint, surveyor should always refer and review procedures as they relate to the type of survey being conducting. Manual is always accessible in CLARIS Help Tab.
2. With guidance from the manual, the following documents are missing:
 - a. CCL 030a – Needs Completed
 - b. Narrative – Needs Completed
 - c. Once the above tasks are completed and uploaded to Images Tab in the survey – the survey must be submitted as it is overdue.
3. NOSF review:

CCL Update May 2021

- a. A final NOSF should not be generated until after the narrative is complete. This is also referenced in the P&P Manual.
- b. Why were two additional onsite visits conducted? How were they necessary to the overall complaint investigation? Original onsite was on 11/25/20, second visit 5/27/21 and last visit on 6/7/21.
 - i. The complaint allegation was over capacity. This was substantiated at the first visit. That was your obligation to determine and no additional onsite was required. Just the issuance of the Final Complaint Addendum.
 - ii. In summary, this was an excessive number of unnecessary on-site visits within the scope of the complaint allegation and complaint process.
- c. KAR 28-4-114(h) violation was not captured per regulation guidance. This was reviewed as a part of the new surveyor guidance you participated in last summer and has been a part of our regulation guidance for multiple years.

NOSF Violation prepared by surveyor: Facility with 13 children present and one provider.

KDHE Guidance: *When citing noncompliance for capacity, document the total capacity in care and the ages of children. Be specific in the description. For example, "Facility with 7 children present and one provider; 3 children under 18 months of age and 4 children age 18 months to age 5. Facility is over by one child age 18 months to age 5. Infants present were 3, 5 and 7 months of age." The description details of the noncompliance. Always include the number of providers present.*

Note: Although children five years of age and over may be substituted for younger children in the license capacity, this does not work in the opposite direction. Younger children may not be substituted for children five years of age and over.

Intervention Required (including surveyor responsibilities):

Next Steps:

1. Surveyor needs to review the Complaint Manual and ensure it is available as a tool to reference when submitting a complaint survey.
2. Complaint Surveys should be completed within a 30 day timeframe – this includes the onsite.
3. Surveyor needs to review regulation guidance provided by KDHE to ensure she is citing correctly.
4. Surveyor needs to review P&P Manual.
5. Attached is a list of due surveys through September 2021 for X, X, and X county. This is current as of today. I have highlighted outstanding surveys.
6. An additional overdue complaint must be prioritized and submitted within the next two weeks:
 - a. 20-00: Onsite was conducted on 9/18/2020 and 5/3/2021. I have an email dated 9/22/2020 indicating you were working on this – CCL staff should not have to continue to follow up if surveyor indicates this is being completed.

Implementation Date: Immediately – July 28, 2021

Date reviewed and acknowledged by surveyor:

Date sent to HD administrator: July 27, 2021

Review Process

Interim 15 day review by DS:

Final DS Assessment (review must be completed within 30 days of implementation):

Summary of CCL tools reviewed during the TA process:

Date reviewed and acknowledged by surveyor:

Date sent to HD administrator:

Attachment 8: Child Care Licensing: Onsite Survey Observation

Child Care Licensing

November 2020

Child Care Licensing: Onsite Survey Observation	
Licensing Specialist:	
Observations Conducted by:	Date:
Facility Name:	License:
Type of Survey: <input type="checkbox"/> Initial <input type="checkbox"/> Annual	Type of Facility: <input type="checkbox"/> L/GDCH <input type="checkbox"/> CCC <input type="checkbox"/> PS <input type="checkbox"/> SAP <input type="checkbox"/> DIP
Kansas Child Care Licensing – Survey Cycle	
Planning	Comments:
<input type="checkbox"/> Preparation based on facility type <input type="checkbox"/> Review of Regulations <input type="checkbox"/> Facility Consideration <ul style="list-style-type: none"> <input type="checkbox"/> Hours of operation <input type="checkbox"/> Time of day to consider <input type="checkbox"/> Travel consideration 	
Preparing	Comments:
<input type="checkbox"/> Review of CLARIS <ul style="list-style-type: none"> <input type="checkbox"/> Enforcement actions <input type="checkbox"/> Application status <input type="checkbox"/> Background check status <input type="checkbox"/> Previous survey review <input type="checkbox"/> Narrative tab <input type="checkbox"/> Floor plan <input type="checkbox"/> Staff history <input type="checkbox"/> Equipment Preparation <ul style="list-style-type: none"> <input type="checkbox"/> Tablet <input type="checkbox"/> Thermometer <input type="checkbox"/> Tape Measurer <input type="checkbox"/> PPE 	
Inspecting	Comments:
<input type="checkbox"/> Introduction & Explanation was clear <input type="checkbox"/> Walkthrough – inside and outside <input type="checkbox"/> Identified children and adults present <input type="checkbox"/> Determined compliance through open ended questions <input type="checkbox"/> Determined compliance by reviewing documentation <input type="checkbox"/> Took pictures as warranted <input type="checkbox"/> Invited provider/staff/PD to ask questions <input type="checkbox"/> Provided consultation when appropriate	
Documenting	Comments:
<input type="checkbox"/> Regulations identified as not in compliance were cited correctly on the NOSF <input type="checkbox"/> Description on NOSF clearly stated what was not in compliance <input type="checkbox"/> Correct demographics recorded in summary tab (date, time, person in charge) <input type="checkbox"/> Use of images as warranted	

Sharing		Comments:	
<input type="checkbox"/> Surveyor conducted an exit interview <input type="checkbox"/> At exit interview, the surveyor was able to explain why noncompliance was identified <input type="checkbox"/> Made recommendations for correction as warranted <input type="checkbox"/> Invited provider/staff to ask questions <input type="checkbox"/> Looked up information in the regulation book with the provider/staff/PD as appropriate <input type="checkbox"/> Surveyor accurately informed provider/staff/PD of what happens next			
Assessing		Comments:	
<input type="checkbox"/> CIM Summary – Correct recommendation(s) based on survey findings <input type="checkbox"/> Use of Appendix D as warranted <input type="checkbox"/> Use of narrative tab as warranted <input type="checkbox"/> Request CAP with any NOSF as warranted			
Interrater Reliability – Identify each regulation in which there was a disagreement.			
Total number to be assessed for compliance L/GDCH – 348, CCC – 427, PS – 333, SAP – 474, DIP – 24			
Total number of items in which there was a disagreement			
Total findings in agreement (subtract)			
Interrater Reliability % (Total in agreement divided by total number of items assessed)			
Regulation Number	Surveyor Assessment	Observer Assessment	Comment
Summary			
Strengths:			
Needs:			
Recommendations:			
Date Reviewed with Licensing Specialist:			

Appendix 4: CCL Staffing Information

Q: How many CCL employees are there?

A: There are currently 35 full-time positions (5 currently vacant), 4 temp staff, and 48 contracted licensing specialists. These positions are composed of Management/Supervisors as well as front line staff that ensure the following:

- Overall health and safety of children receiving out of home care
- Collaboration, coordination, consultation, and communication with various agencies and partners as it pertains to early care and education
- Processing and Monitoring all applications for child care facilities
- Processing of all survey results
- Monitoring and compliance of licensed facilities
- Routine inspections/surveys as mandated by law
- Processing background check applications as mandated by law
- Help Desk Support

Appendix 5: KDHE CCL Budget & Funding Sources

Q: What is the total budget for CCL?

A: The CCL SFY2023 budget and estimated budgets for SFYs 2024-2026 are provided in the table below.

Budget Item	2023	2024	2025	2026
Salaries and Fringe	\$ 1,942,677.00	\$ 2,526,881.00	\$ 2,526,948.00	\$ 2,526,948.00
Travel and Cars	\$ 25,450.00	\$ 29,650.00	\$ 29,650.00	\$ 29,650.00
Supplies and Bills	\$ 293,614.12	\$ 281,551.00	\$ 255,650.00	\$ 255,650.00
Aid to Local	\$ 1,776,025.88	\$ 2,115,201.00	\$ 2,115,201.00	\$ 2,115,201.00
Transfers	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00	\$ 250,000.00
Background checks	-	-	\$ 759,000.00*	\$ 596,000.00*
Total	\$ 4,287,767.00	\$ 5,203,283.00	\$ 5,936,449.00	\$ 5,177,449.00

*All background check fees are currently waived under ARPA funding until 30 September 2024 and are anticipated to be waived for affiliates utilizing CCDF funds until at least 30 June 2026.

Regular Funding Sources:

State General Funds (SGF)

\$290,720 as of July 2022. These funds are allocated for the program by KDHE each year during the budget process.

- Source: Recurring funding provided from Kansas General Fund budget

Lexie’s Law Fee Fund

\$447,000 average per year (2017-2020). The fund is not accumulating anything at this time due to application fees being waived (CCDF ARPA funding covering application costs). This fund is traditionally used to fund Local Health Departments for Aid to Local expenditures, a handful of salaries, as well purchases and repairs for fleet vehicles throughout the year.

- Source: Application fees (initials, renewals, amendments)

Child Care Development Block Grant, Child Care & Development Fund (CCDF)

\$5,205,307 (SFY24), \$5,936.449 (SFY25), \$5,773,449 (SFY26)

Supports operations, staffing, and aid to local licensing infrastructure. Requires SGF Match (25%, roughly \$1.1M).

Note: SFY2025 and 2026 include funds to cover background check fees – these funds are waived by CCL and reimbursed by DCF by request per the Interagency Agreement.

- Source: Department for Children and Families (DCF) Agreement for CCDF funding (effective 07/01/23-06/30/25; KDHE licensing serves as lead for CCDF State Plan Health and Safety component/requirements)

Attachment 9: Office of Child Care Compliance Report, 2021

Office of Child Care’s Monitoring Results for the State of Kansas

Visit Dates: April 13, 2021 – April 15, 2021

The information below provides the results of the State’s compliance with the Child Care and Development Fund (CCDF) requirements. Please note the Office of Child Care did not make compliance determinations on requirements that were under a Corrective Action Plan (CAP) during the time of the monitoring visit. Those areas are addressed through the Plan review and approval process.

Glossary of Terms

Met	The Lead Agency provided evidence to demonstrate compliance with the Child Care and Development Block Grant (CCDBG) Act of 2014 and the Child Care and Development Fund (CCDF) Final Rule, and the State’s approved CCDF Plan.
Unmet	The Lead Agency did not provide evidence to satisfactorily demonstrate that it is in compliance with the CCDBG Act of 2014 and the CCDF Final Rule, and the State’s approved CCDF Plan.
CAP	The Lead Agency is under a Corrective Action Plan (CAP) for this provision. OCC did not make a compliance determination on requirements that are currently under a CAP. Those areas are addressed through the Plan review and approval process.
Not Applicable (N/A)	The Lead Agency has elected not to implement this optional CCDF component.

Topic #	Topic Name	CCDF Rule #	Regulation- Short Text	Preliminary Compliance Determination
1	Disaster Preparedness, Response, and Recovery	98.16(aa)(1)	Statewide Disaster Planning Collaboration	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.16(aa)(2)	Statewide Disaster Plan Components	<input type="checkbox"/> Met <input checked="" type="checkbox"/> Unmet <input type="checkbox"/> CAP
2	Consumer Education: Dissemination of Information to Parents, Providers, and General Public (Monitoring Reports and Annual Aggregate Data)	98.33(a)(4)	Consumer Education - Posting Monitoring and Inspection Reports	<input type="checkbox"/> Met <input checked="" type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.33(a)(5)	Consumer Education – Annual Aggregate Data	<input type="checkbox"/> Met <input checked="" type="checkbox"/> Unmet <input type="checkbox"/> CAP
3	Twelve-Month Eligibility	98.21(a)(1)	12-Month Eligibility Determination and Re-Determination	<input type="checkbox"/> Met <input checked="" type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.21(a)(2)	Continued Assistance/Job Search	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP <input type="checkbox"/> N/A
		98.21(b)(1)	Graduated Phase-Out	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP <input type="checkbox"/> N/A
4	Child: Staff Ratios and Group Sizes	98.41(d)(1)	Group Size Limit	<input type="checkbox"/> Met <input checked="" type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.41(d)(2)	Child: Staff Ratio	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
5	Health and Safety Requirements for Providers (11 Health & Safety Subtopics)	98.41(a)(1)(i)	Prevention and Control of Infectious Diseases	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.41(a)(1)(i)(A)	Immunization Requirements	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.41(a)(1)(i)(B)	Immunization Exemptions (Optional)	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP <input type="checkbox"/> N/A
		98.41(a)(1)(i)(C)	Immunization Grace Period	<input type="checkbox"/> Met <input checked="" type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.41(a)(1)(ii)	SIDS Prevention/Use of Safe Sleep Practices	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet

Topic #	Topic Name	CCDF Rule #	Regulation- Short Text	Preliminary Compliance Determination
				<input type="checkbox"/> CAP
		98.41(a)(1)(iii)	Medication Administration	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.41(a)(1)(iv)	Prevention/Response to Emergencies due to Food and Allergic Reactions	<input type="checkbox"/> Met <input checked="" type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.41(a)(1)(v)	Building and Physical Premises Safety (hazards, bodies of water, and vehicular traffic)	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.41(a)(1)(vi)	SBS, Head Trauma, and Maltreatment	<input type="checkbox"/> Met <input checked="" type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.41(a)(1)(vii)	Emergency Preparedness and Response Planning	<input type="checkbox"/> Met <input checked="" type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.41(a)(1)(viii)	Handling and Storage of Hazardous Materials and Biocontaminants Disposal	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.41(a)(1)(ix)	Transporting Children	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP <input type="checkbox"/> N/A
		98.41(a)(1)(x)	Pediatric First Aid and CPR	<input type="checkbox"/> Met <input checked="" type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.41(a)(1)(xi)	CA/N Recognition and Reporting	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
6	Pre-Service/Orientation and Ongoing Training for Providers	98.44(b)(1)	Pre-Service/Orientation Training for Providers	<input type="checkbox"/> Met <input checked="" type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.44(b)(2)	Ongoing Training for Providers	<input type="checkbox"/> Met <input checked="" type="checkbox"/> Unmet <input type="checkbox"/> CAP
7	Inspections for CCDF Licensed Providers	98.42(b)(2)(i)	Inspections for Licensed Providers	<input type="checkbox"/> Met <input checked="" type="checkbox"/> Unmet <input type="checkbox"/> CAP
8	Inspections for License-Exempt CCDF Providers	98.42(b)(2)(ii)	Inspections for License-Exempt Providers	<input type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP <input checked="" type="checkbox"/> N/A
9	Ratios for Licensing Inspectors	98.42(b)(3)	Ratios for Licensing Inspectors	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
10	Child Abuse and Neglect Reporting	98.41(e)	Provider Compliance with Child Abuse Reporting Requirements	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
11	Program Integrity and Accountability	98.68(a)(3)	Effective Internal Controls– Provider and Staff Training	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.68(a)(4)	Effective Internal Controls– Evaluation of Activities	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.68(b)(1)	Identifying Fraud or Other Program Violations	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.68(b)(2)	Fraud Investigation, Payment Recovery, and Sanctions	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP
		98.68(c)	Documenting and Verifying Child Eligibility	<input checked="" type="checkbox"/> Met <input type="checkbox"/> Unmet <input type="checkbox"/> CAP

Appendix 6: Child Care Licensing Statutes and Regulations

Q: Are there regulations that could be put into statute to ease the regulatory process?

A: When initially choosing to delegate the authority to promulgate regulations around child care to KDHE, the Kansas Legislature was empowering the program's subject matter experts to utilize their expertise in the industry to develop the rules that govern the industry. When considering the recent federal requirement changes having these regulations stand alone as regulations instead of being codified in statute provides several key advantages that provide a more efficient and streamlined process.

The first advantage is timing. As the legislature only meets and acts on statutory changes once a year for part of the year, having the regulations placed in statute would limit the time in which the regulations could be modified to meet federal compliance. With the implementation of K.S.A. 77-440, all rules and regulations will be reviewed every fifth year, allowing for modernization and alignment as child care continues to grow and evolve.

The second advantage is the flexibility of the program. Federal requirements may change at any moment, and the program is expected to quickly make modifications following the compliance review in order to maintain funding for the Child Care Development Block Grant subsidy. If the regulations are placed in statute, they would require a vote of approval to modify by the entire legislative body. The regulatory process streamlines this into approval from key state agencies and makes it so that the regulations do not get held up by the legislative process. As communities and providers come to the agency for assistance, codification of these regulations into statute would limit the ability for the agency to provide local relief from specific elements of the regulations. With often inflexible federal requirements that condition the state's ability to receive federal funding, placing regulatory changes into the legislative process threatens the robust review process and expedited alternation of regulations as may be required by the federal government. The current regulatory process allows for an independent promulgation of the regulations in an expedited manner to allow for compliance to be quickly reestablished.

Finally, there is an advantage in the division of labor and institutional knowledge held by the program in sequestering the regulations from the legislative process. While legislators may be very informed on the topic of child care, the program works daily with the regulations and the industry. Program staff has firsthand knowledge of how the regulations are utilized by the regulated community and can ensure that the federal requirements are implemented in a way that minimizes the burdens being added to the industry in a way that legislators who must be accountable to many issues of concern are unable to replicate. This specialization and in-depth knowledge allow for greater accountability to the regulated community. This is not to say that legislators are not key stakeholders in the process of regulation promulgation, and the input of legislators is welcomed in the process. However, the institutional knowledge held by the program provides a foundational knowledge that is instrumental in the creation of regulations that would be lost if the regulations were to be moved into the legislative process.

Appendix 7: Sharing Fingerprint Results Across Agencies

Q: Can fingerprints/background check information be shared between agencies?

A: No. Please refer to the below excerpt from a Kansas Bureau of Investigation Fact Sheet on How to Handle Criminal History Record Information (CHRI):

I received a request from another agency to share CHRI results. Can I provide that information to them?

Sharing CHRI with another agency is prohibited. If the other agency is permitted to receive CHRI then they will have their own state or federal statute and Memorandum of Agreement with KBI. Each statute may provide different types of information to be released. The CHRI for your agency may contain more information than permitted or less information than permitted for the other agency. The other agency may make a bad decision based upon information they are not able to see or by seeing too much information. A new request should be made for each reason the CHRI is needed.

If the parent agency (adoption agency to DCF) needs confirmation that the state and national searches were conducted you may share the date the searches were conducted and if the applicant had a pass or fail status. KBI can provide example letters, upon request, for this process.