

2021 Kansas Statutes

38-2291. Qualified residential treatment program placement; required notices; court determinations. (a) Whenever a child is placed in a qualified residential treatment program, the secretary shall notify the court in writing within seven days of placement. Written notice shall also be given to: (1) The petitioner; (2) the attorney for the parents, if any; (3) each parent at the last known address; (4) the child, if 12 or more years of age; (5) the child's guardian ad litem; (6) any other party or interested party; and (7) the child's court-appointed special advocate.

(b) Within 30 days after a child is placed in a qualified residential treatment program, any person enumerated in subsection (a)(1) through (7) receiving notice as provided above may request, in writing, that the court conduct a hearing. If a hearing is requested, the court shall conduct the hearing within 60 days of placement. The court shall give notice of the hearing to all persons enumerated in subsection (a)(1) through (7).

(c) The secretary shall provide to the court in writing an assessment and documentation of the need for placement in a qualified residential treatment program.

(d) Within 60 days after a child is placed in a qualified residential treatment program, the court shall:

(1) Consider the assessment and documentation provided by the secretary pursuant to subsection (c);

(2) determine whether the needs of the child can be met through placement in a foster family home or, if not, whether placement of the child in a qualified residential treatment program provides the most effective and appropriate level of care for the child in the least restrictive environment and whether that placement is consistent with the short-term and long-term goals for the child as specified in the permanency plan for the child; and

(3) approve or disapprove the placement.

(e) This section shall be part of and supplemental to the revised Kansas code for care of children.

History: L. 2019, ch. 43, § 1; May 2.