

February 20, 2023

REVISED

The Honorable Susan Concannon, Chairperson
House Committee on Child Welfare and Foster Care
300 SW 10th Avenue, Room 152-S
Topeka, Kansas 66612

Dear Representative Concannon:

SUBJECT: Revised Fiscal Note for HB 2189 by Representative Thomas

In accordance with KSA 75-3715a, the following revised fiscal note concerning HB 2189 is respectfully submitted to your committee.

HB 2189 would add the definition of non-minor dependent to the Kansas Code for Care of Children, which would be an individual who is at least 18 years old but less than 21 years old, and except for the age requirement, meets the definition of a child in need of care. Upon a written request by a child to a court, the bill would prohibit the court from issuing an order terminating jurisdiction over the child before June 1 of the school year in which the child turns 18 years old if the child is in an out-of-home placement, is still attending high school, and has not completed a high school education, or who is a non-minor dependent in the custody of the Secretary of the Department for Children and Families (DCF) when in out-of-home placement and is transitioning to adulthood.

The bill would require that a non-minor dependent participate in case planning, attend school or work, make efforts to independence as determined by the Secretary, and receive independent living services from the Independent Living Program administered by the Secretary. If the non-minor dependent does not comply with these requirements, the Secretary could petition the court to terminate jurisdiction. The court would not have jurisdiction over a non-minor dependent after the non-minor dependent has been absent from placement for 30 calendar days or attains 21 years of age.

Estimated State Fiscal Effect				
	FY 2023 SGF	FY 2023 All Funds	FY 2024 SGF	FY 2024 All Funds
Revenue	--	--	--	--
Expenditure	--	--	\$7.5 million	\$7.5 million
FTE Pos.	--	--	--	16.00

There are approximately 2,843 non-minor dependents ages 18 to less than 21 years of age who meet the qualifications of HB 2189 to request re-entry into custody of DCF. DCF assumes that 10.0 percent of these adult children would apply to re-enter custody of DCF. The assumed costs are as follows:

	FY 2024	FY 2025
Estimated Number of Re-Entry's	284	284
Additional Case Managers (@30 Cases per Month)	9.00	9.00
Additional Supervisors	6.00	6.00
Additional Administrator	1.00	1.00
Total Additional Staff	16.00	16.00
Salary + Fringe and OOE	\$1,234,555	\$1,234,901
Non-Minor Dependent Placement Cost		
<i>Avg 1,800 monthly Annualized</i>	\$6,140,880	\$6,140,880
Contract for Case Management System		
<i>License Fees 800 per yr. for 40 staff</i>	32,000	32,000
IT Adaption Estimate		
<i>\$100 per hour for 500-hour project</i>	50,000	--
Estimated Cost	\$7,457,435	\$7,407,781

A re-entry program would require 1.00 FTE position in DCF administration to oversee the program, 1.00 FTE supervisor position for each of the six DCF regions and 9.00 FTE positions distributed statewide according to caseload to handle anticipated re-entry cases. The supervisors would also supervise any existing regional Independent Living (IL) staff and support staff who would be dedicated to the re-entry program.

Non-Minor dependent placement costs would consist of room and board, food, utilities, and any other miscellaneous placement costs. DCF would need to make a one-time update to the Case Management Placement System to record and track placements for re-entry cases. Along with the system update DCF would need to purchase 40 additional licenses for the 16.00 FTE positions requested and existing positions that would be working with the re-entry program.

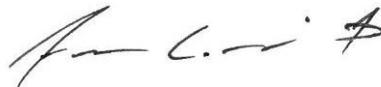
If HB 2189 is intended to implement the federally recognized extended foster program, expenditures would increase in the IL program. This change would extend IL ages served from

age 14 up to 21, to age 23, which would increase caseloads. The fiscal effect on expenditures of this change has not been determined. Federal Title IV-E Foster Care funds would not be available for this program until it was part of the Kansas IV-E State Plan. If Kansas amended the State Plan to show that Kansas has an “extended foster care” program, federal funds of less than 10.0 percent may be available if approved.

The Office of Judicial Administration indicates that HB 2189 could have a fiscal effect on expenditures of the Judicial Branch. The bill would allow extensions of current Child in Need of Care (CINC) cases or possibly create new CINC cases. Nevertheless, until the courts have had an opportunity to operate under the provisions of the bill, an accurate estimate of the fiscal effect on expenditures by the Judicial Branch cannot be given. Any fiscal effect associated with HB 2189 is not reflected in *The FY 2024 Governor’s Budget Report*.

In the initial fiscal note issued for HB 2189 the FY 2024 fiscal effect was correctly stated as additional costs of \$7.5 million in the note narrative; however, the additional cost was placed on the revenue line of the table.

Sincerely,

A handwritten signature in black ink, appearing to read "Adam Proffitt", with a stylized flourish at the end.

Adam Proffitt
Director of the Budget

cc: Kim Holter, Department for Children & Families
Vicki Jacobsen, Judiciary