

HOUSE BILL No. 2198

By Committee on Governmental Organization and Elections

1-27

9 AN ACT concerning child care facilities; relating to the disclosure of
10 certain records relating thereto; amending K.S.A. 65-525, as amended
11 by section 19 of chapter 145 of the 2004 Session Laws of Kansas, and
12 repealing the existing section.
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 65-525, as amended by section 19 of chapter 145
16 of the 2004 Session Laws of Kansas, is hereby amended to read as follows:
17 65-525. (a) Records in the possession of the department of health and
18 environment or its agents regarding child care facilities, maternity centers
19 or family day care homes shall not be released publicly in a manner that
20 would identify individuals, unless required by law.

21 (b) Records containing the name, address and telephone number of
22 a child care facility, maternity center or family day care home in the
23 possession of the department of health and environment or its agents
24 shall not be released publicly unless required by law.

25 (c) Records that cannot be released by subsection (a) or (b) may be
26 released to: (1) An agency or organization authorized to receive notice
27 under K.S.A. 65-506, and amendments thereto; (2) a criminal justice
28 agency; (3) any state or federal agency that provides child care services,
29 funding for child care or child protective services; (4) any federal agency
30 for the purposes of compliance with federal funding requirements; (5)
31 any local fire department; (6) any child and adult care food program
32 sponsoring agency; ~~or~~ (7) any local disaster agency; or (8) upon the request
33 of any person whose child is receiving child care services or who is seeking
34 to obtain child care services from a child care facility, appropriate infor-
35 mation which may affect the child's health, safety or welfare shall be
36 disclosed.

37 (d) Any state or federal agency or any person receiving records under
38 subsection (a) or (b) shall not disseminate the records without the consent
39 of the person whose records will be disseminated unless required by law.
40 Any state or federal agency or any person receiving records under sub-
41 section (e) may disseminate the information contained in the records
42 without the consent of the person whose records will be disseminated.

43 (e) The secretary of health and environment may release the name,

1 address and telephone number of a maternity center, child care facility
2 or family day care home when the secretary determines that the release
3 of the information is necessary to protect the health, safety or welfare of
4 the public or the patients or children enrolled in the maternity center,
5 child care facility or family day care home.

6 (f) Any records under subsection (a) or (b) shall be available to any
7 member of the standing committee on appropriations of the house of
8 representatives or the standing committee on ways and means of the
9 senate carrying out such member's or committee's official functions in
10 accordance with K.S.A. 75-4319, and amendments thereto, in a closed or
11 executive meeting. Except in limited conditions established by $\frac{2}{3}$ of the
12 members of such committee, records received by the committee shall not
13 be further disclosed. Unauthorized disclosure may subject such member
14 to discipline or censure from the house of representatives or senate. Such
15 records shall not identify individuals but shall include data and contract
16 information concerning specific facilities.

17 (g) In any hearings conducted under the licensing or regulation pro-
18 visions of K.S.A. 65-501 *et seq.* and amendments thereto, the presiding
19 officer may close the hearing to the public to prevent public disclosure
20 of matters relating to persons restricted by other laws.

21 Sec. 2. K.S.A. 65-525, as amended by section 19 of chapter 145 of
22 the 2004 Session Laws of Kansas, is hereby repealed.

23 Sec. 3. This act shall take effect and be in force from and after its
24 publication in the statute book.