

HOUSE BILL No. 2240

AN ACT concerning the department for children and families; relating to qualified residential treatment programs; requiring the clerk of the district court to give notice of placement; amending K.S.A. 38-2291 and repealing the existing section.

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

Section 1. K.S.A. 38-2291 is hereby amended to read as follows: 38-2291. (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. *The clerk of the district court shall give 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 a part of and supplemental to the revised Kansas code for care of children.

Sec. 2. K.S.A. 38-2291 is hereby repealed.

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

I hereby certify that the above BILL originated in the HOUSE, and passed that body

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.