

February 25, 2025

Tiffany Mannes, Family Childcare Provider

TLM Play School LLC

Written Opponent Testimony for HB 2294

House Committee on Commerce, Labor and Economic Development

Chairman Tarwater and members of the Committee:

Thank you for the opportunity to provide testimony in opposition of HB 2294, which would allow children to be in unsafe care in Kansas.

My name is Tiffany Mannes, I have been a family child care provider for 22 years in the state of Kansas. I am currently the Vice President of the Child Care Coalition of Kansas (CCPC), and was elected and serve as the Kansas State Representative for the National Association of Family Childcare (NAFCC) I served on the BEST team which helped write and implement Lexi's Law. I am writing today to express my opposition to HB 2294. While I understand the intentions behind this bill, I believe it presents significant concerns that could have unintended consequences, and I would like to address these concerns with the committee. The biggest concern I have is "Day care facility" does not include an individual who provides care for less than 35 hours per week to four or fewer children, not more than two of whom may be infants, who are not related to the individual by blood, marriage or legal adoption. This would allow full time unregulated care in Kansas. Prior to Lexi's Law we had "Registered Care" which required no inspections, and a self assessment annually. While this was unsafe, and contributed to Kansas ranking 33rd in the country in childcare safety, it was safer than what is being proposed here. At least with registered care the providers were reporting to the state and accountable to the state if there was a complaint, injury or death. Unlicensed providers are not held to any standard of care, and do not have to answer to anyone. If a State Surveyor knocks on their door, they can refuse entrance. If a child is injured or dies in care, there is no recourse to close their childcare. There is no background check done, there is no training done, there are no safety regulations or rules to follow for these providers. Children will be injured and die in unregulated homes. Allowing up to 35 hours of care for four unrelated children drastically changes the definition of illegal care. If comparing the hours, unregulated care with only four children, would be a cumulative of 140 hours of care, compared with the current 20 hours of cumulative care that is currently allowed. That is seven times the amount of hours, and does not include a providers' own children, or children related by blood or adoption. Furthermore having this in statute will create a situation that is difficult to change when children are injured and die. While there will always be people who will provide illegal care, loosening these current restrictions will encourage current providers, as well as inexperienced new providers in the field to be unlicensed, putting countless children in danger. Another part of this bill that is concerning to me is the lowering of training hours that are required. KDHE just updated regulations which already reduced training hours from 16 to 12, further reducing these hours is not necessary.

While there are other concerning issues in this bill, such as putting tooth brushing into statute, the training hours and definition of “Day Care Facility” are my biggest concerns. Since Lexi’s Law was implemented in 2010 Kansas now ranks 17 in childcare safety. This bill would take us backwards over 15 years and cause countless children in Kansas care to be unsafe. Children will die in unregulated care, we know this from our past, with registered care. None of us want to be listening to testimony about an unavoidable child’s death, in unlicensed care this time next year. We must keep children in Kansas as safe as we can, undoing Lexi’s Law is not the direction Kansas should be going in.

I do think the Office of Early Childhood would have benefits for children and providers in Kansas. Funding for fingerprinting, as well as funding for licensing would lessen the burden on providers and centers financially. Having universal training for Surveyors across the state would offer a more cohesive inspection process with less confusion for both providers and surveyors. Funding for early childhood would be accounted for and used properly. Unfortunately this bill stands to make regulated, licensed providers’ jobs more difficult while also changing the definition of unregulated care, which will make unlicensed care that much more enticing, particularly for inexperienced new providers. As this bill currently reads, the dangers to children do not outweigh the benefits of the Office Of Early Childhood. This is why I cannot support the bill as it is currently written.

If I can be of further assistance, please contact me at [Tiffanymannes@gmail.com](mailto:Tiffanymannes@gmail.com) or 913-439-0118