

HOUSE BILL No. 2344

By Committee on Federal and State Affairs

2-16

1 AN ACT concerning children and minors; relating to permanency
2 planning; amending K.S.A. 2010 Supp. 38-2263 and repealing the
3 existing section.
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 2010 Supp. 38-2263 is hereby amended to read as
7 follows: 38-2263. (a) The goal of permanency planning is to assure, in so
8 far as is possible, that children have permanency and stability in their
9 living situations and that the continuity of family relationships and
10 connections is preserved. In planning for permanency, the safety and well
11 being of children shall be paramount.

12 (b) Whenever a child is subject to the jurisdiction of the court
13 pursuant to the code, an initial permanency plan shall be developed for
14 the child and submitted to the court within 30 days of the initial order of
15 the court. If the child is in the custody of the secretary, or the secretary is
16 providing services to the child, the secretary shall prepare the plan.
17 Otherwise, the plan shall be prepared by the person who has custody or, if
18 directed by the court, by a court services officer.

19 (c) A permanency plan is a written document prepared, where
20 possible, in consultation with the child's parents and which:

21 (1) Describes the permanency goal which, if achieved, will most
22 likely give the child a permanent and safe living arrangement;

23 (2) describes the child's level of physical health, mental and
24 emotional health, and educational functioning;

25 (3) provides an assessment of the needs of the child and family;

26 (4) describes the services to be provided the child, the child's parents
27 and the child's foster parents, if appropriate;

28 (5) includes a description of the tasks and responsibilities designed
29 to achieve the plan and to whom assigned; and

30 (6) includes measurable objectives and time schedules for achieving
31 the plan.

32 (d) In addition to the requirements of subsection (c), if the child is in
33 an ~~out-of-home~~ *out-of-home* placement, the permanency plan shall
34 include:

35 (1) A plan for reintegration of the child's parent or parents or if
36 reintegration is determined not to be a viable alternative, a statement for

1 the basis of that conclusion and a plan for another permanent living
2 arrangement;

3 (2) a description of the available placement alternatives, *including*
4 *the names of all relative placement alternatives considered*;

5 (3) a justification for the placement selected, including a description
6 of the safety and appropriateness of the placement. *If a relative*
7 *placement alternative is not selected, the reason that relative placement*
8 *alternative was not selected shall be documented*; and

9 (4) a description of the programs and services which will help the
10 child prepare to live independently as an adult.

11 (e) If there is a lack of agreement among persons necessary for the
12 success of the permanency plan, the person or entity having custody of
13 the child shall notify the court which shall set a hearing on the plan.

14 (f) A permanency plan may be amended at any time upon agreement
15 of the plan participants. If a permanency plan requires amendment which
16 changes the permanency goal, the person or entity having custody of the
17 child shall notify the court which shall set a permanency hearing pursuant
18 to K.S.A. 2010 Supp. 38-2264 and 38-2265, and amendments thereto.

19 Sec. 2. K.S.A. 2010 Supp. 38-2263 is hereby repealed.

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