

State of Kansas
Department of Health and Environment
Notice of Hearing on Proposed Administrative Regulations

The Kansas Department of Health and Environment, Division of Health, Bureau of Child Care and Health Facilities, will conduct a public hearing at 10 a.m. Monday, November 22, in Room 530 of the Curtis State Office Building, 1000 S.W. Jackson, Topeka, to consider an amendment to general child care regulation K.A.R. 28-4-92. This regulation is being promulgated as both a temporary and a permanent regulation. A summary of the proposed regulation and the estimated economic impact follows:

Summary of Regulation:

K.A.R. 28-4-92. Amends the fee amount required for licenses and license renewals for day care homes, group day care homes and child care centers.

Economic Impact:

Cost to the agency: Senate Substitute for HB 2356, also known as “Lexie’s Law,” eliminated the child care category of “family day care homes” and required all child care facilities to be inspected and licensed. The results of this bill include an increase in inspection responsibilities for approximately 2600 additional day care homes. The bill created a maternity centers and child care licensing fee fund and increased licensing fees to generate additional revenue for KDHE and local health department licensing and inspection activities.

Cost to licensees: The bill amended K.S.A. 65-505, increasing the maximum licensing fees that may be set by the Secretary of Health and Environment including those for child care facilities and maternity center applicants and licensees. The amended regulation includes increases in the initial license and renewal fees for licensed day care homes, group day care homes, and child care centers.

Costs to other governmental agencies or units: The bill created a maternity centers and child care licensing fee fund and increased licensing fees to generate additional revenue for local health department licensing and inspection activities.

The time period between publication of this notice and the scheduled hearing serves as the required public comment period of at least 60 days for the purpose of receiving written public comments on the proposed amended regulation. At any time during the public comment period interested parties may submit written comments to Dorothy Tenney, KDHE, Child Care Licensing and Registration Program, 1000 S.W. Jackson, Suite 200, Topeka, 66612-1274, by fax to (785) 296-0803, or by e-mail to dttenney@kdheks.gov. All interested parties intending to provide oral comments will be given a reasonable opportunity to present their view of the proposed amended regulation during the hearing. In order to give each individual or entity an opportunity to present their view, it may be necessary for the hearing officer to request that each presenter limit any of their presentation to an appropriate time frame.

Complete copies of the proposed regulation and the corresponding economic impact statement may be obtained on the Child Care Licensing Web site at www.kdheks.gov/kidsnet/ or by contacting Dorothy Tenney at the address above, (785) 296-1270 or by fax (785) 296-0803.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and regulatory impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Dorothy Tenney.

Roderick L. Bremby

Secretary of Health and Environment