



# DCF Legislative Testimony

January 31, 2024

**TESTIMONY OF:** Deputy Secretary Tanya Keys Department for Children and Families

**TESTIMONY ON:** DCF HB 2581

## DCF | HB 2581 / CINC Child Support Orders

Chair Concannon and members of the committee. Thank you for the opportunity to provide testimony in support of HB 2581: Eliminating the court's requirement to order child support be paid to the secretary when custody of a child is awarded to the secretary.

This bill proposes a statutory amendment in K.S.A. 38-2234 removing the requirement that a child support order be requested in every petition in a Child in Need of Care action. The bill also proposes an amendment to K.S.A. 38-2255 removing the requirement for the Court to enter an order for child support when a child has been placed in the Custody of the Secretary of the Department for Children and Families (DCF).

In June 2022, the U.S. Department of Health and Human Services, Administration for Children and Families' Children's Bureau (ACF) and the Federal Office of Child Support Services (OCSS) issued joint guidance encouraging child welfare agencies, including state Child Support Services agencies (CSS), to define more narrowly what is an appropriate case to refer to CSS, so the default position is not to secure child support in all foster care cases. ACF explained that securing child support orders may impede the family reunification process and is generally not cost-effective. To date, ten states have modified their policies or practices to eliminate or significantly limit foster care referrals, including: California, Colorado, Florida, Louisiana, Michigan, Minnesota, New Mexico, North Carolina, North Dakota and Washington.

Current DCF policy follows state law - every case in which a child is placed in the custody of DCF is referred to CSS for child support establishment of parentage and/or enforcement of a child support order against the natural parent(s).

DCF's goal is to walk alongside children and families in achieving permanency through reintegration or adoption. The proposed statutory changes support this practice and are in the best interest of Kansas children and families. The foster care funds currently collected by CSS are retained by DCF and may be utilized to reimburse the costs of administering the child support program. They are not directly benefiting the citizens of Kansas as support. Eliminating the practice of referring all cases to child support will promote families, reduce the work effort on these often difficult-to-collect cases and allow staff to focus on outreach efforts and other collection activities that directly benefit the populations we serve.

This bill would reduce the number of foster care cases referred to CSS and subsequent reduction to foster care collections. The phasing out of foster care collections by 50% in FY2025 and elimination by FY 2026 would reduce CSS revenues by \$1.8M and \$2M respectively. Foster care cases are often the most difficult and least cost-effective cases to handle for our contractors. Additional details can be found in the submitted fiscal note.

DCF supports this legislation as written and would ask that the committee pass favorably. Thank you again for the opportunity to provide testimony on HB 2581.