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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 Family Health, will conduct a public hearing at 1 p.m. Tuesday, December 20, 2016, in Marvin Auditorium, 101A & B, The Topeka and Shawnee County Public Library, 1515 S.W. 10th Ave., Topeka, to consider the adoption of proposed amended maternal and child health regulations K.A.R. 28-4-114a, 28-4-118, 28-4-428 and 28-4-428a. These proposed amended regulations pertain to day care homes, group day care homes, preschools, and child care centers. They were developed cooperatively with the Kansas Department for Children and Families (DCF) to implement federal requirements pertaining to the Child Care and Development Fund (CCDF) State Plan.

A summary of the proposed regulations and estimated economic impact follows:

Summary of Regulations:

K.A.R. 28-4-114a. Initial and ongoing professional development training. The regulation pertains to day care homes and group day care homes. The amended regulation adds new subject areas to the existing health and safety training requirements for applicants and new providers, and new requirements for training in medication administration. The number of required annual professional development training hours for providers is increased.

K.A.R. 28-4-118. Medication administration and reporting suspected child abuse or neglect. The regulation pertains to day care homes and group day care homes. The amended regulation contains requirements for the administration of any medication to a child by a provider designated by the licensee. The reporting of suspected child abuse or neglect is amended to update the reference to the state agency responsible for investigation and adds law enforcement as an alternate entity to whom a report can be made, within 24 hours.

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K.A.R. 28-4-428. Staff requirements. The regulation pertains to preschools and child care centers. Staff training requirements have been removed, as these requirements are now covered in detail in K.A.R. 28-4-428a. A requirement for the program director to submit an annual report to the department has been removed.

K.A.R. 28-4-428a. Education and training requirements. The regulation pertains to preschools and child care centers. New subject areas are added to the existing health and safety training requirements for providers, and there is a new requirement for medication administration training for each program director and for each staff member designated to administer medications. There is a new requirement that each program director annually assess the training needs of each staff member and volunteer and then provide or arrange for training for the individual. The number of required annual in-service training hours is increased.

Economic Impact:

Cost to the agency: There is no additional cost to the agency. Any costs will be absorbed in the current budget.

Cost to licensees: Currently each applicant and each licensee is responsible for obtaining required pre-service and annual training for themselves and any employees and volunteers. There are already in place a number of training opportunities available through resource and referral agencies, statewide training providers, and some of the county health departments, at no cost or little cost. The department is working with these entities to ensure that the training requirements can be met, across the state, through a variety of methods including classroom instruction and on-line courses.

Costs to other governmental agencies or units: There is no known cost to other governmental agencies or units to implement these proposed amendments.

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The time period between the publication of this notice and the scheduled hearing serves as a public comment period of at least 60 days for the purpose of receiving written public comments on the proposed amended regulations. All interested parties may submit written comments prior to 5 p.m. on the day of the hearing to Dorothy Tenney, Kansas Department of Health and Environment, Child Care Licensing Program, 1000 S.W. Jackson, Suite 200, Topeka, 66612-1274, by email to dtenney@kdheks.gov, or by fax to 785-559-4244. During the hearing, all interested parties will be given a reasonable opportunity to present their views orally on the proposed amended regulations as well as an opportunity to submit their written comments. In order to give each individual an opportunity to present their views, it may be necessary for the hearing officer to request that each presenter limit an oral presentation to an appropriate time frame.

Complete copies of the proposed amended regulations and the corresponding economic impact statement may be obtained on the Child Care Licensing website at http://www.kdheks.gov/bcclr/index.html or by contacting Dorothy Tenney at dtenney@kdheks.gov, 785-296-1270 or fax 785-559-4244. Questions pertaining to the proposed amended regulations should be directed to Dorothy Tenney at the contact information above.

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

Susan Mosier, M.D.

Secretary of Health and Environment

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28-4-114a. Initial and ongoing professional development training. If an applicant, an applicant with a temporary permit, or a licensee is not an individual, the applicant, applicant with a temporary permit, or licensee shall designate an individual to meet the requirements of this regulation.

(a) Orientation.

(1) Each person shall, before applying for a license, complete an orientation program on the requirements for operating a facility, provided by the health department or the secretary's designee that serves the county in which the facility will be located.

(2) Each applicant, each applicant with a temporary permit, and each licensee shall provide orientation to each individual who will be caring for children about the policies and practices of the facility, including duties and responsibilities for the care and supervision of children. Each provider shall complete the orientation before the provider is given sole responsibility for the care and supervision of children. The orientation shall include the following:

(A) Licensing regulations;

(B) the policies and practices of the facility, including emergency procedures, behavior management, and discipline;

(C) the schedule of daily activities;

(D) care and supervision of children in care;

(E) health and safety practices; and

(F) confidentiality.

(b) Health and safety training. Each applicant, each applicant with a temporary permit,

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each licensee, and each provider shall complete health and safety training approved by the ~~department~~ secretary.

(1) Each applicant and each applicant with a temporary permit shall complete the training not later than 30 calendar days after submitting an application for a license.

(2) Each provider shall complete the training before the date of employment or not later than 30 calendar days after the date of employment.

(3) Each licensee whose license was issued before ~~the effective date of this regulation~~ September 1, 2016 and who has completed the training in the subject areas specified in paragraphs (b)(4)(A), (B), and (C) shall ~~complete the training within one calendar year after the effective date of this regulation~~ be exempt from training in the subject areas specified in paragraphs (b)(4)(D) through (I). Each provider who was employed ~~in~~ at the facility before ~~the effective date of this regulation~~ September 1, 2016 and who has completed the training in the subject areas specified in paragraphs (b)(4)(A), (B), and (C) shall ~~complete the training within one calendar year after the effective date of this regulation~~ be exempt from training in the subject areas specified in paragraphs (b)(4)(D) through (I).

(4) The health and safety training shall include the following subject areas:

(A) ~~At least two clock-hours of training in~~ Recognizing the signs of child abuse or neglect, including prevention of abusive head trauma, and the reporting of suspected child abuse ~~and~~ or neglect;

(B) ~~at least two clock hours of training in~~ basic child development, including supervision of children; ~~and~~

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(C) ~~at least two clock hours of training on~~ safe sleep practices and sudden infant death syndrome ~~if the individual will be caring for children under 12 months of age~~;

(D) prevention and control of infectious diseases, including immunizations;

(E) prevention of and response to emergencies due to food and allergic reactions;

(F) building and premises safety, including identification of and protection from hazards that could cause bodily injury, including electrical hazards, bodies of water, and vehicular traffic;

(G) emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event, including violence at a facility;

(H) handling and storage of hazardous materials and the appropriate disposal of bio-contaminants, including blood and other bodily fluids or waste; and

(I) precautions when transporting children.

(c) Pediatric first aid and pediatric cardiopulmonary resuscitation (CPR) certifications. Each applicant, each applicant with a temporary permit, each licensee, and each provider shall obtain certification in pediatric first aid and pediatric CPR as specified in this subsection.

(1) Each applicant and each applicant with a temporary permit shall obtain the certifications not later than 30 calendar days after submitting an application for a license.

(2) Each provider shall obtain the certifications before the date of employment or not later than 30 calendar days after the date of employment.

(3) ~~Each licensee whose license was issued before the effective date of this regulation shall obtain the certifications within one calendar year after the effective date of this regulation.~~

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~~Each provider who was employed in the facility before the effective date of this regulation shall obtain the certifications within one calendar year after the effective date of this regulation.~~

~~(4)~~ Each individual required to obtain the certifications shall maintain current certifications.

(d) ~~Initial professional development requirements. In addition to the professional development requirements in subsections (a), (b), and (c), each applicant, each applicant with a temporary permit, and each primary care provider shall, not later than 30 calendar days following initial application for a license or employment, meet one of the following requirements:~~

~~(1) Have a child development associate credential;~~

~~(2) complete at least 15 hours of professional development training, which may include the training required in subsections (a), (b), and (c);~~

~~(3) have at least three months of previous employment in a facility or in a child care center, as defined in K.A.R. 28-4-420, that has been in continuous operation for three or more years; or~~

~~(4) meet the requirements for a program director of a child care center as specified in K.A.R. 28-4-429~~ Medication administration training.

(1) Each of the following individuals shall complete the medication administration training as specified in this subsection:

(A) Applicant;

(B) applicant with a temporary permit;

(C) licensee; and

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(D) provider designated to administer medications.

(2) The training shall be approved by the secretary.

(3) Each applicant and each applicant with a temporary permit shall complete the training not later than 30 calendar days after submitting an application for a license and before administering medication to any child.

(4) Each licensee whose license was issued before September 1, 2016 shall complete the training not later than March 31, 2017. The licensee shall not administer medications after March 31, 2017 unless the licensee has completed the training.

(5) Each provider designated to administer medications who is employed at the facility before September 1, 2016 shall complete the training not later than March 31, 2017. The designated provider shall not administer medications after March 31, 2017 unless the designated provider has completed the training.

(6) Each provider designated to administer medications who is employed at the facility on or after September 1, 2016 shall complete the training before administering medication to any child.

(e) Annual professional development training requirements.

(1) In each licensure year, each primary care provider shall ~~meet one of the following requirements:~~

~~(1)~~ complete ~~five~~ 16 clock-hours of professional development training~~;~~ .

~~(2) maintain current accreditation by the national association for family child care; or~~

~~(3) hold a current child development associate credential.~~

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(2) In each licensure year, each provider who is not a primary care provider shall complete four clock-hours of annual professional development training, based on the provider's job responsibilities and the training needs identified by the licensee.

(f) Documentation. Documentation of all orientation, training, and certifications for each individual shall be kept in that individual's file in the facility. (Authorized by and implementing K.S.A. ~~2010~~ 2015 Supp. 65-508; effective Feb. 3, 2012; amended P-_____.)

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28-4-118. ~~Policies relating to illness~~ Medication administration and reporting ~~of~~ suspected child abuse or neglect. (a) ~~Non-prescription medications shall be administered to children only with permission of the parent or guardian. A record shall be kept~~ Medication administration.

(1) Each applicant with a temporary permit and each licensee shall designate at least one provider to administer medications to children.

(2) If nonprescription medication is to be administered to a child, each designated provider shall meet the following requirements:

(A) Obtain written permission from each child's parent or legal guardian before administering medication to that child;

(B) require that each medication supplied by a parent or legal guardian for the child be in the original container;

(C) ensure that the container is labeled with the first and last name of the child for whom the medication is intended; and

(D) administer each medication according to the instructions on the label.

(3) If prescription medication is administered to a child, each designated provider shall meet the following requirements:

(A) Obtain written permission from each child's parent or legal guardian before administering medication to that child;

(B) keep each medication in the original container labeled by a pharmacist, with the following information:

(i) The child's first and last name;

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(ii) the name of the licensed physician, physician assistant (PA), or advanced practice registered nurse (APRN) who ordered the medication;

(iii) the date the prescription was filled;

(iv) the expiration date of the medication; and

(v) specific, legible instructions for administration and storage of the medication;

(C) consider the instructions on each label to be the order from the licensed physician, PA, or APRN;

(D) administer the medication only to the child designated on the prescription label; and

(E) administer the medication in accordance with the instructions on the label.

(4) Documentation of each medication administered shall be kept on a form provided by the department and maintained in each child's file.

(5) A copy of the documentation of each medication administered shall be made available to the parent or legal guardian of the child.

~~(b) Prescription medications shall be administered only from a container labeled with the child's name, name of the medication, dosage, dosage intervals, name of the physician and the date the prescription was filled. The label shall be considered the order from the physician. A record of medications administered shall be kept.~~

~~(c)~~ (b) Reporting suspected child abuse or neglect. Each ~~child care~~ provider~~, as required by law,~~ shall report to the Kansas ~~state~~ department ~~of social and rehabilitation services~~ for children and families or ~~the district court~~ to law enforcement any ~~evidence of~~ suspected child abuse or neglect ~~observed in children enrolled for care~~ within 24 hours. (Authorized by and

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implementing K.S.A. 2015 Supp. 65-508; effective, E-80-18, Oct. 17, 1979; effective May 1, 1980; amended May 1, 1981; amended May 1, 1983; amended May 1, 1986; amended Feb. 26, 1990; amended P-_____.)

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28-4-428. Staff requirements. Each licensee shall ensure that all of the following requirements are met:

(a) Minimum ~~staff/child~~ staff-child ratio.

(1) The ratio between staff members and children shall be determined by the ~~age~~ ages of the children and the type of ~~service~~ care provided. ~~The required staff/child ratio shall not fall below the minimum level at any time and no child shall be left unsupervised. Only staff who are in attendance with the children shall be counted in the minimum staff/child ratio as follows:~~

(2) The minimum staff-child ratio and the maximum number of children per unit shall be the following, at all times:

Age of children	Minimum ~~Staff/Child~~ staff-child ratio	Maximum number of children per unit
Infants ~~(2 weeks to 12 months)~~	1 to 3	9
Infants ~~to 6 years~~ and other children under the age of 6	1 to 4 (~~max.~~ including not more than 2 infants)	8 (~~max.~~ including not more than 4 infants)
Toddlers ~~(12 mos. to 2½ years, if walking alone)~~	1 to 5	10
Children at least 2 years ~~to~~ ~~3 years~~ of age but under the age of 3	1 to 7	14
Children at least 2½ years ~~to~~ of age but under school-age	1 to 10	20

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Children at least 3 years ~~to~~ of age but under school-age	1 to 12	24
Kindergarten enrollees	1 to 14	28
School-age	1 to 16	32

(3) No child shall be left unsupervised.

(b) Substitute staff. Each ~~facility~~ preschool and each child care center shall have two additional adults who are available to work in case of illness or emergency. ~~Their~~ These adults' names and phone numbers shall be posted~~,~~ and ~~their~~ these individuals' health certificates shall be on file at the preschool or child care center.

(c) Volunteers. ~~Volunteers~~ Each volunteer shall be at least 14 years of age. ~~Volunteers~~ Any volunteer may be counted in the ~~staff/child~~ staff-child ratio if ~~they are~~ the individual is at least 16 years of age ~~or older~~, ~~participate in in-service~~ completes the education and training ~~programs~~ requirements for a volunteer specified in K.A.R. 28-4-428a, and ~~are~~ is supervised at all times by ~~employed staff~~ a staff member who is not a volunteer.

(d) Program director.

(1) Each preschool and each child care center shall have a program director who is employed full time.

(2) Each ~~facility~~ preschool and each child care center licensed for more than 60 children shall employ a program director who has no other assigned responsibilities.

(3) Each ~~facility~~ preschool and each child care center licensed for more than 60 children shall have an administrator, who may also be the program director.

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~~(e) Staff training.~~

~~(1) The program director shall receive at least five clock-hours of approved in-service training annually. In-service training shall be conducted away from the facility.~~

~~(2) Teaching staff shall receive at least 10 clock-hours of approved in-service training annually.~~

~~(f)~~ (e) References. Each staff member shall provide work references to the licensee at the time of application for employment.

~~(g) The program director shall submit an annual program report to the Kansas department of health and environment on forms supplied by the department.~~ (Authorized by and implementing K.S.A. 2015 Supp. 65-508; effective May 1, 1983; amended May 1, 1984; amended May 1, 1985; amended May 1, 1986; amended P-_____.)

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28-4-428a. Education and training requirements. (a) Orientation.

(1) Each person shall, before applying for a license, complete an orientation program on the requirements for operating a preschool or a child care center. If the person is not an individual, the person shall designate an individual to meet this requirement. The orientation shall be provided by the county health department or the secretary's designee that serves the county in which the preschool or child care center will be located.

(2) Each licensee shall provide orientation to each program director not later than seven calendar days after the date of employment and before the program director is given sole responsibility for implementing and supervising the program.

(3) Each licensee shall ensure that orientation is completed by each staff member who will be counted in the staff-child ratio and by each volunteer who will be counted in the staff-child ratio. Each staff member and each volunteer shall complete the orientation within seven calendar days after the date of employment or volunteering ~~and before the~~. Each staff member ~~or volunteer is~~ shall complete the orientation before being given sole responsibility for the care and supervision of children.

(4) Each licensee shall ensure that the orientation for each program director, staff member, and volunteer is related to work duties and responsibilities and includes the following:

(A) Licensing regulations;

(B) the policies and practices of the preschool or child care center, including emergency procedures, behavior management, and discipline;

(C) the schedule of daily activities;

(D) care and supervision of children in care;

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(E) health and safety practices; and

(F) confidentiality.

(b) Health and safety training.

(1) Each staff member who is counted in the staff-child ratio, each volunteer who is counted in the staff-child ratio, and each program director shall complete health and safety training either before employment or volunteering or not later than 30 calendar days after the date of employment or volunteering. Each staff member shall complete the training before being given sole responsibility for the care and supervision of children.

(2) The health and safety training shall be approved by the secretary and shall include the following subject areas:

(A) ~~At least two clock hours of training in~~ Recognizing the signs of child abuse or neglect, including prevention of abusive head trauma and the reporting of suspected child abuse ~~and~~ or neglect;

(B) ~~at least two clock hours of training in~~ basic child development, including supervision of children; ~~and~~

(C) ~~at least two clock hours of training on~~ safe sleep practices and sudden infant death syndrome ~~if the individual will be caring for children under 12 months of age.~~ ;

(D) prevention and control of infectious diseases, including immunizations;

(E) prevention of and response to emergencies due to food and allergic reactions;

(F) building and premises safety, including identification of and protection from hazards that could cause bodily injury, including electrical hazards, bodies of water, and

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vehicular traffic;

(G) emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event, including violence at a facility;

(H) handling and storage of hazardous materials and the appropriate disposal of bio-contaminants, including blood and other bodily fluids or waste; and

(I) precautions when transporting children.

(3) ~~Each individual who is required to complete this training and who was employed in the preschool or child care center before the effective date of this regulation shall complete the training within one calendar year after the effective date of this regulation.~~ Each staff member, volunteer, and program director who was employed at the facility before September 1, 2016 and who has completed the training in the subject areas specified in paragraphs (b)(2)(A), (B), and (C) shall be exempt from training in the subject areas specified in paragraphs (b)(2)(D) through (I).

(c) Pediatric first aid and cardiopulmonary resuscitation (CPR) certifications.

(1) Each staff member counted in the staff-child ratio, each volunteer counted in the staff-child ratio, and each program director shall obtain certification in pediatric first aid and in pediatric CPR as specified in this subsection either before the date of employment or volunteering or not later than 30 calendar days after the date of employment or volunteering.

~~(2) Each individual who is required to obtain the certifications and who was employed in the preschool or child care center before the effective date of this regulation shall obtain the certifications within one calendar year after the effective date of this regulation.~~

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~~(3)~~ (2) Each individual who is required to obtain the certifications shall maintain current certifications.

~~(4)~~ (3) Each licensee shall ensure that, for each unit in a preschool or child care center, at least one staff member or volunteer counted in the staff-child ratio who has current certification in pediatric first aid and current certification in pediatric CPR is ~~in attendance~~ present at all times.

(d) Medication administration training. Each program director and each staff member designated to administer medications shall complete the training in medication administration as specified in this subsection.

(1) The training shall be approved by the secretary.

(2) Each program director and each staff member designated to administer medications who was employed at the facility before September 1, 2016 shall complete the training not later than March 31, 2017. The program director or the staff member designated to administer medications shall not administer medications after March 31, 2017 unless the individual has completed the training.

(3) Each program director and each staff member designated to administer medications who is employed at the facility on or after September 1, 2016 shall complete the training before administering medication to any child.

(e) Education requirements. Each program director shall be a high school graduate or the equivalent. For each unit in a preschool or child care center, there shall be ~~in attendance~~ present at all times at least one staff member who has a high school diploma or the equivalent, as

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required in K.A.R. 28-4-429~~(h)~~.

~~(e)~~ (f) Annual in-service training requirements.

(1) In each licensure year, each program director shall assess the training needs of each staff member and each volunteer and shall provide or arrange for annual in-service training as needed.

(2) In each licensure year, the following training requirements shall be met:

~~(1)~~ (A) Each program director shall complete 24 clock-hours of annual in-service training ~~as required in K.A.R. 28-4-428(e)(1)~~.

~~(2)~~ (B) Each staff member counted in the staff-child ratio and each volunteer counted in the staff-child ratio shall complete 16 clock-hours of annual in-service training ~~as required in K.A.R. 28-4-428(e)(2)~~ based on the staff member's or volunteer's job responsibilities and the training needs identified by the program director.

(3) The training shall be approved by the secretary.

~~(f)~~ (g) Documentation. Each licensee shall ensure that documentation of all orientation, training, certifications, and education requirements is kept in each individual's file in the preschool or child care center. (Authorized by and implementing K.S.A. ~~2010~~ 2015 Supp. 65-508; effective Feb. 3, 2012; amended P-_____.)

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September 20, 2016

Kansas Department of Health and Environment
Economic Impact Statement

Pursuant to the requirements of K.S.A. 2015 Supp. 77-416, Kansas Department of Health and Environment (KDHE) submits the following economic impact statement concerning amended regulations for licensed day care homes, group day care homes, preschools, and child care centers. The proposed amendments are needed to implement federal requirements pertaining to the Child Care and Development Fund (CCDF) State Plan. The Kansas Department for Children and Families (DCF) is the lead agency for administration of the State Plan. The KDHE child care licensing regulations serve as the health and safety standards for children in care and serve as Kansas standards for the purpose of meeting CCDF requirements. These proposed amendments were developed cooperatively with DCF.

1. Regulations to be amended:

K.A.R. 28-4-114a. Initial and ongoing professional development.
K.A.R. 28-4-118. Policies relating to illness and reporting of child abuse.
K.A.R. 28-4-428. Staff requirements.
K.A.R. 28-4-428a. Education and training requirements.

2. Brief description of each regulation and what is intended to be accomplished by adoption.

K.A.R. 28-4-114a. Initial and ongoing professional development training. (Amended title)

This regulation pertains to licensed child care homes and group child care homes. It lists the training requirements for licensees and providers. The amended regulation expands the subject areas required in the existing health and safety training for applicants and providers, adds medication administration training for designated individuals, and increases the required annual professional development training hours. The expanded pre-service training requirements will only apply to new licensees and providers.

K.A.R. 28-4-118. Medication administration and reporting suspected child abuse or neglect. (Amended title)

This regulation pertains to licensed child care homes and group child care homes. The amended regulation contains requirements for the administration of any medication to a child by a provider designated by the licensee. The reporting of suspected child abuse or neglect is amended to update the reference to the state agency responsible for investigation and adds law enforcement as an alternate entity to whom a report can be made, within 24 hours.

K.A.R. 28-4-428. Staff requirements.

This regulation pertains to child care centers and preschools. The amended regulation removes a subsection related to staff training, as the requirements are addressed in K.A.R. 28-4-428a, and removes the requirement for a program director's annual report to the department.

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K.A.R. 28-4-428a. Education and training requirements.

This regulation pertains to child care centers and preschools, with training requirements for applicants, licensees, staff members, and volunteers. The amended regulation expands the subject areas required in the existing health and safety training for new staff members and new volunteers who are counted in the staff-child ratio and adds medication administration training for designated individuals. The amended regulation requires an annual assessment of the training needs of staff members and volunteers and increases the required annual in-service training hours for program directors, staff members, and volunteers.

3. **Are these regulations mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program?**

Yes ___X___ **No** _____

If yes, please explain.

The proposed amendments are needed to implement federal requirements pertaining to the Child Care and Development Block Grant Act of 2014. The Kansas Department for Children and Families (DCF) is the lead agency for administration of the block grant. The KDHE child care licensing regulations serve as the state's health and safety standards, including the requirements for preparation and training of licensed child care providers.

4. **Do the proposed regulations exceed the requirements of applicable federal law?**

Yes _____ **No** ___X___

5. **Description of Costs:**

(a) **Cost to the agency:**

There is no additional cost to the agency. Any costs will be absorbed in the current budget.

(b) **Cost to persons who will bear the costs and those who will be affected (i.e., private citizens and consumers of the products or services) and are subject to the proposed rules and regulations or the enforcement:**

The amended K.A.R. 28-4-114a and 428a require completion of training in new health and safety subject areas, as well as annual professional development training or annual in-service training. Current licensees and caregivers would not be required to complete the additional health and safety training. Applicants and individuals hired or volunteering after the effective date of the amended regulations would be required to complete the health and safety training no later than 30 days after being hired or volunteering.

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Both amended regulations include a new requirement for medication administration training. This training would be completed by any individual designated to administer medications to children in care, including any current licensees or designated individuals who have not had this training previously. Current licensees and designated individuals will be given a specific amount of time to complete the training. After the effective date of the amended regulations, an individual must complete the training before administering any medication.

The amendments requiring annual professional development training or annual in-service training apply to current as well as new individuals. A number of current licensees, program directors, staff members, and volunteers, as part of their own professional development, may already meet or exceed these new requirements.

Cost of training

Currently each applicant and each licensee is responsible for obtaining required pre-service and annual training for themselves and any employees and volunteers. There are already in place a number of training opportunities available through resource and referral agencies, statewide training providers, and some of the county health departments at no cost or little cost. The department is working with these entities to ensure that the training requirements can be met, across the state, through a variety of methods including classroom instruction and on-line courses.

The proposed amendments to K.A.R. 28-4-118 and K.A.R. 28-4-428 do not require any additional cost to the providers.

(c) Costs to other governmental agencies or units:

There is no known additional cost to other governmental agencies or units to implement these proposed amendments.

6. Description of any less costly or less intrusive methods that were considered by the agency for the purpose of the rules and regulations and why such methods were rejected in favor of the proposed rules and regulations.

No less costly or intrusive methods were identified. Increases in existing training requirements are intended to better prepare licensees and caregivers in order to provide safe child care practices.

7. Verification of economic impact statement with League of Kansas Municipalities, Kansas Association of Counties and the Kansas Association of School Boards.

The above mentioned amended regulations were determined as appropriate for consultation as to the economic impact with the League of Kansas Municipalities, Kansas Association of Counties, and the Kansas Association of School Boards, pursuant to K.S.A. 2015 Supp. 77-416.

Yes X **No** _____

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If yes:

Date contacted and by what means (i.e., letter, FAX, etc.): The three organizations will be contacted electronically with attached copies of the proposed regulations, economic impact statement and notice of hearing at the time the notice of hearing is published in the *Kansas Register*.

Response and comments received by:

League of Kansas Municipalities:
Kansas Association of Counties:
Kansas Association of School Boards:

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