

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
DIVISION OF HEALTH  
BUREAU OF FAMILY HEALTH  
QUALITY PERFORMANCE REPORT (QPR)  
CHILD CARE LICENSING  
State Fiscal Year 2022 Fourth Quarter (April 01, 2022 – June30, 2022)  
Posted: September 1, 2022

The Kansas Department of Health and Environment (KDHE) is the state agency with authority for the licensing and monitoring of child care facilities.

The purpose of the regulation of child care facilities is to reduce the risk of predictable harm to children while in out of home care settings. Regulations serve as the foundation for healthy and safe program operation. Base level regulation should not be interpreted as meaning low quality. Rather, regulations form the foundational level of quality that all programs must obtain and maintain. Programs operating below this foundational level increase the risk of harm to children and are unacceptable to the state in its efforts to protect children and to support families in their efforts toward economic self-sufficiency. Effective regulation is a stepping stone to meeting more stringent standards designed to increase the quality of services to children (e.g., Accreditation or Links 2 Quality standards).

### **KDHE Child Care Licensing Program**

The KDHE Child Care Licensing (CCL) Program establishes and enforces regulatory safeguards for approximately 4,427 licensed child care facilities with a total capacity to serve 135,487 children ages 2 weeks to 16 years (as of 06/30/2022). Regulatory safeguards reduce the risk of predictable harm to children receiving out-of-home care. Licensed child care facilities include child care centers, preschools, licensed day care homes, group day care homes, school age programs, drop in programs for school age children and youth, and child care resource and referral agencies. Core functions fulfill mandatory requirements pursuant to the Child Care Act (K.S.A. 65-501 *et. seq.*). Inspection and licensing activities include but are not limited to:

- Establishing and enforcing requirements for the operation of child care facilities;
- Increasing the state-wide availability of regulated facilities that meet or exceed standards;
- Reducing predictable health and safety risks to children in child care;
- Providing consumer protection for children and families; and
- Conducting comprehensive, (including fingerprinting), and name-based background checks;
- Conducting timely and accurate inspections.

All licensing applications are processed by CCL. Inspection activity is carried out by local county health department surveyors through Aid to Local contracts and by KDHE staff located in district offices across the state. The issuance of licenses and enforcement activity are carried out at the state level.

For the Fourth Quarter SFY 2022 administrative staff in Topeka issued:

- **145 Initial Licenses**
  - 60 Licensed Day Care Home
  - 66 Group Day Care Home
  - 0 Preschool
  - 8 Child Care Center
  - 0 Head Start
  - 10 School Age Program
  - 1 Drop In Program
- **167 Temporary Permits**
  - 77 Licensed Day Care Home
  - 72 Group Day Care Home
  - 0 Preschool
  - 9 Child Care Center
  - 0 Head Start
  - 9 School Age Program
  - 0 Drop In Program
- **763 Renewal License**
  - 352 Licensed Day Care Home
  - 233 Group Day Care Home
  - 14 Preschool
  - 110 Child Care Center
  - 4 Head Start
  - 40 School Age Program
  - 10 Drop In Program

For the Fourth Quarter SFY 2022 Administrative Staff in Topeka issued a request:

- 132 Notices of Noncompliance (26 Prohibited Persons and 106 Regulation Compliance)
- 1 Emergency Suspension
- 0 Emergency Modification of the License
- 11 Notice of Intent to Deny
- 0 Notices of Intent to Suspend
- 1 Notices of Intent to Suspend and Assess a Civil Penalty
- 0 Notices of Intent to Assess a Civil Penalty
- 4 Notice of Intent to Revoke
- 0 Intent to Modify a License

### **Licensing Surveyors**

During the Fourth quarter of SFY22 KDHE contracted with 20 county public health or city departments covering 63 counties to carry out the local licensing program, including but not limited to conducting licensing inspections. KDHE Surveyors and District Specialists were responsible for 42 counties not covered by a local contract.

## Ensuring the Health & Safety of Children

### Key Data

#### Facility and capacity for licensed programs as of June 30, 2022

Early Care and Youth Programs –Total Facility Count		Total Capacity Count
<b>All Licensed Child Care Facilities</b>	<b>4,427</b>	<b>135,487</b>
<b>Licensed Center-Based Program</b>	<b>Number of Facilities</b>	<b>Total Capacity to Serve</b>
Child Care Center	632	51,203
Head Start Center	47	1,870
Preschool	117	2,849
School Age Program	347	32,117
School Age Drop-In Program	57	10,985
Outdoor Summer Camp Program	27	1,921
<b>Total Center-Based Programs</b>	<b>1,227</b>	<b>100,945</b>
<b>Licensed Home-Based Programs</b>	<b>Number of Facilities</b>	<b>Total Capacity to Serve</b>
Day Care Home	1,890	18,913
Group Day Care Home	1,302	15,629
<b>Total Home-Based Programs</b>	<b>3,192</b>	<b>34,542</b>
<b>Resource and Referral Agency Programs</b>	<b>Number of Facilities</b>	<b>Total Capacity to Serve</b>
	<b>8</b>	<b>0</b>

**Inspection Data:** What percentage of programs received monitoring visits, and at what frequency for each provider category during the Fourth Quarter SFY2022 (April 1, 2022 – June 30, 2022)

Early Care and Youth Programs – Monitoring Visits (Initial, Annual, Compliance and Complaint Inspections)					
Program	# of Facilities	# of Facilities Inspected	Percentage Receiving at least one Inspection	# of Inspections	Average Number of Visits
<b>Center-Based</b>	1,277	388	32%	470	1.21
<b>Home-Based</b>	3,192	999	31%	1082	1.08

*\*\*8 Resource and Referral Agencies not included in # of Facilities.*

*An initial or annual inspection may require two onsite visits and is not reflected in the total number of inspections due to the surveyor may return under the initial survey requested if*

violations support it. The first inspection for an initial is scheduled and a second visit, if required, is unannounced. All annual, compliance and complaint surveys are unannounced.

- Center-Based: 15 scheduled initial inspections (may have included more than one onsite visit), 254 unannounced annual inspections, 108 unannounced compliance inspections, and 93 unannounced complaint inspections.
- Home-Based: 124 scheduled initial inspections (may have included more than one onsite visit), 768 unannounced annual inspections, 121 unannounced compliance inspections, and 69 unannounced complaint inspections.
- Unlicensed/Illegal Care: 38 inspections were conducted as a result of an illegal care complaint and are *not* counted in the totals for the regulated facilities. Three additional visits were conducted to verify compliance (no longer providing illegal care).

Licensed child care facilities are inspected initially and annually thereafter pursuant to state law. In addition, inspections are conducted to monitor ongoing compliance with regulations (referred to as compliance checks or monitoring visits), and to investigate complaints, all inspections are unannounced except for the first on-site initial licensing inspection for a new application, which is scheduled.

**Enforcement Action:** Licenses suspended, revoked, or denied due to licensing violations as defined in your State/Territory during the Fourth Quarter SFY 2022 (April 1, 2022 – June 30, 2022)

Early Care and Youth Programs with License Suspended or Revoked or Denied a License		
Program	Suspended	Revoked
Center-Based	0	0
Home-Based	1	0

*Pursuant to K.S.A. 65-523 and K.S.A. 65-524, KDHE may suspend a license.*

*Pursuant to K.S.A. 65-504, KDHE may revoke or deny a license.*

**Injury and Death Data:** Injuries occurring in child care as defined by the State/Territory during the Fourth Quarter SFY 2022 (April 1, 2022 – June 30, 2022)

Early Care and Youth Programs Reported Serious Injury*	
Total Number Reported	8
Program	Number Reported
Center-Based	6
Home-Based	2
Illegal Care	0

*\*KDHE defines serious injury as any injury requiring medical attention. See Attachment 1 for more information about serious injuries for the reporting period, including details and status of DCF enrollment. Four out of seven serious injuries were in facilities operated by DCF-enrolled providers.*

All injury reports submitted by a licensed program or received as a result of a complaint are reviewed by the Regional Administrator who is the custodian of the record. A review may result in an investigation or enforcement action if deemed appropriate. Data is reviewed annually and may result in additional training made available by the local licensing surveyor. Data is also used when considering amendments to regulations that impact the health and safety of children in care, however there are no regulations currently being amended.

How many fatalities occurred in licensed child care during the Fourth Quarter SFY 2022 (April 1, 2022 – June 30, 2022)

K.A.R. 28-4-127(f) requires that child care centers, preschools, day care homes and group day care homes report the death of a child in care to KDHE. For school age programs the requirement to report is found in K.A.R. 28-4-592(g)(3).

**Fourth Quarter SFY 2022 (April 1, 2022 – June 30, 2022)**

<b>Early Care and Youth Programs Reported Deaths</b>	
<b>Total Number Reported</b>	<b>0</b>
<b>Program</b>	<b>Number Reported</b>
Center-Based	0
Home-Based	0
Illegal Care	0

KDHE Child Care Regulations require that a licensed facility report any death of a child to KDHE within 24 hours of death. A complaint investigation is initiated if appropriate.

All deaths that occur in a licensed facility are tracked by KDHE CCL. Data is tracked regarding the cause, including space the death occurred (outside, crib, etc.) certification information such as CPR/First Aid, and noncompliance is cited, and enforcement initiated if applicable. Death certificates are requested from the Office of Vital Statistics to record the final cause of death. Deaths (aggregate data) are reported to the Kansas State Death Review board upon request.

## Serious Injuries

*SFY2022 Fourth Quarter (April 1, 2022 – June 30, 2022)*

Number of Child Injuries in Child Care Facilities in Kansas  
 By Program Type and Type of Injury  
 FFY22  
 04/01/2022 to 06/30/2022  
 # of Serious Injuries: 8

