

KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
DIVISION OF HEALTH  
BUREAU OF FAMILY HEALTH  
QUALITY PERFORMANCE REPORT (QPR)  
CHILD CARE AND DEVELOPMENT FUND  
State Fiscal Year 2023 Third Quarter (January 1, 2023 – March 31, 2023)  
Submitted May 15<sup>th</sup> 2023

The Kansas Department of Health and Environment (KDHE) is the state agency with authority for the licensing and monitoring of child care facilities. The Interagency Agreement with the Department for Children and Families (DCF) outlines the responsibilities of the respective agencies in ensuring the health and safety of children in child care through the KDHE licensing program.

The purpose of the regulation of child care facilities is to reduce the risk of predicable 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 4,500 licensed child care facilities with a total capacity to serve 141,492 children ages 2 weeks to 16 years (as of 03/31/2023). 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.*) and the KDHE-DCF MOA. CCL work supports the CCDF state plan through regulatory oversight and monitoring of health and safety standards. 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 Third Quarter SFY 2023 Administrative Staff in Topeka issued:

- **189 Initial Licenses**
  - 82 Licensed Day Care Home
  - 85 Group Day Care Home
  - 1 Preschool
  - 16 Child Care Center
  - 0 Head Start
  - 4 School Age Program
  - 1 Drop In Program
- **182 Temporary Permits**
  - 87 Licensed Day Care Home
  - 79 Group Day Care Home
  - 0 Preschool
  - 10 Child Care Center
  - 0 Head Start
  - 6 School Age Program
  - 0 Drop In Program
- **862 Renewal License**
  - 337 Licensed Day Care Home
  - 256 Group Day Care Home
  - 33 Preschool
  - 144 Child Care Center
  - 8 Head Start
  - 62 School Age Program
  - 17 Drop In Program

For the Third Quarter SFY 2023 the following actions were taken:

- 121 Notices of Noncompliance (41 Prohibited Persons and 80 Regulation Compliance)
- 3 Emergency Suspension
- 0 Emergency Modification of the License
- 18 Notices of Intent to Deny
- 0 Notices of Intent to Suspend
- 0 Notices of Intent to Suspend and Assess a Civil Penalty
- 4 Notices of Intent to Assess a Civil Penalty
- 3 Notice of Intent to Revoke
- 0 Intent to Modify a License

### **Licensing Surveyors**

The work of a licensing surveyor is complex and requires proficiency with procedures, regulation interpretation and use of the CCL web-based surveying system (Childcare Licensing and Regulation Information System, CLARIS). State and Federal laws require, at minimum, an initial inspection for applicants and annual and complaint inspections for licensed providers.

During the Third quarter of SFY2023 KDHE contracted with 19 county public health or city departments covering 61 counties to carry out the local licensing program, including but not limited to conducting licensing inspections. KDHE Surveyors and District Specialists were responsible for 44 counties not covered by a local contract. The Aid to Local contract with Montgomery County Health Department was canceled during after the 1<sup>st</sup> quarter due to ongoing issues. The number of KDHE-covered counties has increased over the last few years to ensure efficiencies and consistencies. Many rural and frontier areas of the state did not have contractors that were conducting work often enough to become subject-matter experts and the capacity was limited as far as staffing as needed to ensure backup/coverage for child care licensing. KDHE is looking to continue to strengthen the relationship with contracted health departments to ensure KDHE culture and standards are consistent throughout the state.

**Licensing Activities - local surveyors:**

- Conducted 1,332 initial, annual, and compliance inspections
- Investigated 141 complaints of which 20 were for illegal care
- Reported approximately 12 instances of communicable diseases (All included COVID-19 related) in child care settings involving about 536 children and 247 adults
- Provided 205 orientation trainings (classroom setting or individual) to 320 potential providers (day care home, group day care home, and center-based)
- Referred 208 families to the statewide network of licensed child care resource and referral agencies for assistance in locating child care
- Offered 32 trainings to 918 child care providers
- Licensed surveyors were offered approximately 76 Professional Development classes and partook in approximately 227 hours of training

Number of Completed Surveys by Program Type and Survey Reason

Survey Completion Date Range: 01/01/2023 to 03/31/2023

		Total	To conduct the annual review	To conduct the initial survey	To investigate a complaint	To verify compliance
<b>Total</b>	Count of Surveys	1,495	923	197	151	224
	Distinct Count of Facilities	1,332	921	196	141	197
<b>Building Based School Age Program</b>	Count of Surveys	89	70	10	1	8
	Distinct Count of Facilities	84	69	10	1	8
<b>Child Care Center</b>	Count of Surveys	332	157	14	83	78
	Distinct Count of Facilities	259	156	14	74	66
<b>Child Care Resource and Referral Agency</b>	Count of Surveys	3	3	0	0	0
	Distinct Count of Facilities	3	3	0	0	0
<b>Drop In Program</b>	Count of Surveys	20	17	2	0	1
	Distinct Count of Facilities	20	17	2	0	1
<b>Group Day Care Home</b>	Count of Surveys	438	265	88	30	55
	Distinct Count of Facilities	399	265	88	29	51
<b>Head Start Child Care Center</b>	Count of Surveys	20	15	0	4	1
	Distinct Count of Facilities	17	15	0	4	1
<b>Licensed Day Care Home</b>	Count of Surveys	534	363	82	12	77
	Distinct Count of Facilities	496	363	82	12	66
<b>Outdoor Summer Camp School Age</b>	Count of Surveys	1	0	1	0	0
	Distinct Count of Facilities	1	0	1	0	0
<b>Preschool</b>	Count of Surveys	36	33	0	1	2
	Distinct Count of Facilities	35	33	0	1	2
<b>Unknown Illegal Care</b>	Count of Surveys	22	0	0	20	2
	Distinct Count of Facilities	22	0	0	20	2

Performance measures, contractor requirements, and tools for collecting data regarding the local regulatory program have been in place for years. The child care licensing database (CLARIS) provides tools to analyze access (e.g., change in total facilities, capacity, program types), program effectiveness (e.g., timeliness of surveys, response to complaints) and guide policy decisions for the protection of children in child care settings (e.g., health and safety violations, critical incidents, serious injuries, deaths). In addition, available data is used to identify additional/ongoing training needs for surveyors (e.g., commonly cited regulations, consultations). Regular training and ongoing technical assistance provided by KDHE CCL is essential to ensure the consistency of regulation interpretation across the state and enables surveyors to conduct targeted trainings due to noncompliance identified in a county or region.

**CCDF State Plan: Ensuring the Health & Safety of Children**

**Kansas Licensing Indicator System (KLIS)**

Criteria for a KLIS survey requires two prior annual inspections in compliance. During the SFY 2023 third quarter 99 KLIS surveys were done. This is 89 more than last quarter, which had a total of 10. This is a significant increase. It should be noted that due to the corrective action plan Kansas is currently on regarding health and safety, KDHE will be reviewing the current KLIS survey tool to ensure all health and safety components are being covered. KDHE is also conducting a review on program regulations currently. A new KLIS survey will need to be adopted once the health and safety components are approved the programs completes the process of updating regulations.

**Full and KLIS Indicator Surveys by County and Program Type**  
Date Range: 01/01/2023 to 03/31/2023

Note: "Indicator" is the KLIS shortened survey

	Total	Indicator	ExtendedReg	Extended	Full
<b>Total</b>	811 100%	99 12%	39 4%	41 5%	632 77%
<b>Licensed Day Care Home</b>	347 100%	53 15%	21 6%	20 5%	253 72%
<b>Group Day Care Home</b>	269 100%	33 12%	11 4%	18 6%	207 76%
<b>Child Care Center</b>	151 100%	10 6%	6 3%	2 1%	133 88%
<b>Head Start Child Care</b>	11 100%	0 0%	0 0%	0 0%	11 100%
<b>Preschool</b>	33 100%	3 9%	1 3%	1 3%	28 84%

**Online Information Dissemination System (OIDS)**

OIDS is the public portal that affords parents and guardians to make informed choices regarding child care. All inspection results are available online for a three-year period. The portal received a monthly average of 66,481 facility searches and 24,804 “View Findings” hits during the SFY23 Third quarter. View Findings is the review of licensing survey inspection reports. Also, please note the difference below in the 3<sup>rd</sup> quarter of 2023 vs the 3<sup>rd</sup> quarter of 2022. There has been a dramatic increase in the use of OIDS over the past year. We believe this is due to the awareness the program has been pushing toward consumer education for the public to use this tool as a means to looking for quality child care. Efforts to increase awareness remain in place.

	01/01/23 - 03/31/23			
	PPIN020	PPIN021	PPIN022	
	Facility Search	Child Care Facility Report	View Findings	TOTAL
January	61,036	54,603	25,680	141,319
February	101,031	92,585	23,805	217,421
March	37,377	31,137	24,926	93,440
<b>TOTAL</b>	199,444	178,325	74,411	452,180

**2023**

	01/01/23 - 03/31/23			
	PPIN020	PPIN021	PPIN022	
	Facility Search	Facility Report	View Findings	TOTAL
January	61,036	54,603	25,680	141,319
February	101,031	92,585	23,805	217,421
March	37,377	31,137	24,926	93,440
<b>TOTAL</b>	199,444	178,325	74,411	452,180
<b>Monthly Average</b>	66,481	59,442	24,804	150,727

**2022**

01/01/22 - 03/31/22				
	PPIN020	PPIN021	PPIN022	
	Facility Search	Facility Report	View Findings	TOTAL
January	11,040	11,688	21,666	44,394
February	10,992	11,846	20,618	43,456
March	12,446	13,234	22,262	47,942
<b>TOTAL</b>	34,478	36,768	64,546	135,792
<b>Monthly Average</b>	11,493	12,256	21,515	45,264

**KDHE Website/ Child Care Licensing Website**

The CCL website contains regulation books, links to resource and partner websites, including DCF, a provider page, background check resources and FAQs, applications and forms, and other direct links for existing licensees, parents/guardians, and the public including information about COVID-19 and a link to the KDHE state public health resource center for the pandemic. The Resource Center contains guidance specifically for child care providers related to the COVID-19 pandemic. FAQs and guidance are updated regularly/as needed to ensure alignment with KDHE and the Centers for Disease Control and Prevention (CDC).

During the 3<sup>rd</sup> quarter for SFY 2023, KDHE received technical assistance from the office of child care on various issues regarding the website. Further technical assistance is being offered to KDHE from the Office of Child to continue to work towards a more conducive consumer website. Many other updates have been made which include the adding updated forms, updated contact lists and reorganization of forms for ease of locating. Ongoing meetings continue with our Communications team to advise on updates needed to be more compliant with consumer education best practices as instructed by the Office of Child Care.

**CLARIS Provider Access Portal**

The Provider Access Portal is a web-based system whereby applicants and licensees may apply for an initial or renewal license. A total of 1,007 applications were received during the reporting period; 687 (68%) were submitted online and 320 (32%) on paper.

The provider portal also allows facilities to update affiliates easily and quickly online (anyone who works, resides, or volunteers). New affiliates can be added, or existing affiliates can be updated. KDHE CCL staff processed affiliates submitted through the portal within two business days for all submissions. Most were processed within the same day of submission/receipt.

**Key Data**

**Facility and capacity for licensed programs as of March 31, 2023**

<b>Early Care and Youth Programs –Total Facility Count</b>	<b>Total Capacity Count</b>
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<b>All Licensed Child Care Facilities</b>	<b>4,519</b>	<b>141,492</b>
<b>Licensed Center-Based Program</b>	<b>Number of Facilities</b>	<b>Total Capacity to Serve</b>
Child Care Center	656	53,287
Head Start Center	46	1,906
Preschool	117	2,862
School Age Program	345	32,196
School Age Drop-In Program	69	14,206
Outdoor Summer Camp Program	25	1,741
<b>Total Center-Based Programs</b>	<b>1,258</b>	<b>106,198</b>
<b>Licensed Home-Based Programs</b>	<b>Number of Facilities</b>	<b>Total Capacity to Serve</b>
Day Care Home	1,880	18,801
Group Day Care Home	1,375	16,493
<b>Total Home-Based Programs</b>	<b>3,255</b>	<b>35,294</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>

**Total Capacity Report**

By County and Program Type

As of: 03/31/2023

**Early Care Facilities**

Total Capacity :	<u>141,492</u>
Regular Capacity :	<u>141,492</u>
Exception Capacity :	<u>0</u>
Total Cases :	<u>4519</u>

	<u>Facility Count</u>	<u>Total Capacity</u>	<u>Average Capacity</u>
<b>By County</b>	4,519	141,492	31.28
Building Based School Age Program	345	32,196	93.32
Child Care Center	656	53,287	80.86
Child Care Resource and Referral Agency	8	0	0.00
Drop In Program	69	14,206	205.88
Group Day Care Home	1,375	16,493	11.99
Head Start Child Care Center	46	1,906	41.43
Licensed Day Care Home	1,880	18,801	10.00
Outdoor Summer Camp School Age Program	25	1,741	69.64
Preschool	117	2,862	24.46

**Inspection Data:** What percentage of programs received monitoring visits, and at what frequency for each provider category during the Third Quarter SFY2023 (January 01, 2023 – March 31, 2023)

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
Center-Based	1,258	416	33%	498	1.20
Home-Bd	3,255	895	27%	972	1.09

*\*\*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.*

Program	Facilities	Facilities Inspected	% receiving one survey	# inspections	Avg # of visit	inspection type--surveys				
						annual	initial	complaint	compliance	
SAP	345	84	24%	89	1.06	70	10	1	8	
CCC	656	259	39%	332	1.28	157	14	83	78	
DIP	69	20	29%	20	1.00	17	2	0	1	
GDCH	1375	399	29%	438	1.10	265	88	30	55	
HSC	46	17	37%	20	1.18	15	0	4	1	
LDCH	1880	496	26%	534	1.08	363	82	12	77	
OSC	25	1	4%	1	0.00	0	1	0	0	
PS	117	35	30%	36	1.03	33	0	1	2	
<b>center based</b>	<b>1258</b>	<b>416</b>	<b>33%</b>	<b>498</b>	<b>1.20</b>	<b>292</b>	<b>27</b>	<b>89</b>	<b>90</b>	<b>498</b>
<b>homebased</b>	<b>3255</b>	<b>895</b>	<b>27%</b>	<b>972</b>	<b>1.09</b>	<b>628</b>	<b>170</b>	<b>42</b>	<b>132</b>	<b>972</b>
	<b>4513</b>	<b>1311</b>	<b>29%</b>	<b>1470</b>	<b>1.12</b>					<b>1470</b>

Note: We do not include Resource & Referral in the facility count.

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 Third Quarter SFY2023 (January 01, 2023 – March 31, 2023)



Early Care and Youth Programs with License Suspended or Revoked or Denied a License		
Program	Suspended	Revoked
Center-Based	0	0
Home-Based	3	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.

\*Note: Each Revocation/Suspension can have more than one Enforcement Reason

**Number of Licenses Revoked or Suspended by Program Type & Reason**

01/01/2023 to 03/31/2023

			Total	
<b>Total Number of Revocations &amp; Suspensions</b>			3	3
Bourbon	Total		1	1
	Suspended License	Total	1	1
		Licensed Day Care Home	1	1
Franklin	Total		1	1
	Suspended License	Total	1	1
		Licensed Day Care Home	1	1
Johnson	Total		1	1
	Suspended License	Total	1	1
		Group Day Care Home	1	1

**Injury and Death Data:** Injuries occurring in child care as defined by the State/Territory during the Third Quarter SFY2023 (January 01, 2023 – March 31, 2023)

Early Care and Youth Programs Reported Serious Injury*	
<b>Total Number Reported</b>	<b>6</b>
<b>Program</b>	<b>Number Reported</b>
Center-Based	2
Home-Based	4

\*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 Third Quarter SFY2023 (January 01, 2023 – March 31, 2023)

<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

*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).*

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.

# ATTACHMENT 1: Serious Injuries

## Third Quarter SFY2023 (January 01, 2023 – March 31, 2023)

**Number of Child Injuries in Child Care Facilities in Kansas  
By Program Type**

01/01/2023 to 03/31/2023  
# of Serious Injuries: 6

