

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 Fourth Quarter (April 1, 2023 – June 30, 2023)  
Submitted August 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 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 steppingstone to meeting more 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 142,039 children ages 2 weeks to 16 years (as of 06/30/2023). 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;
- Conducting comprehensive, (including fingerprinting), and name-based background checks; and
- 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 2023 Administrative Staff in Topeka issued:

- **161 Initial Licenses**
  - 67 Licensed Day Care Home
  - 79 Group Day Care Home
  - 0 Preschool
  - 7 Child Care Center
  - 1 Head Start
  - 7 School Age Program
  - 0 Drop In Program
- **193 Temporary Permits**
  - 94 Licensed Day Care Home
  - 82 Group Day Care Home
  - 0 Preschool
  - 6 Child Care Center
  - 1 Head Start
  - 9 School Age Program
  - 1 Outdoor Summer Camp School Age Program
  - 0 Drop In Program
- **920 Renewal License**
  - 413 Licensed Day Care Home
  - 308 Group Day Care Home
  - 7 Preschool
  - 116 Child Care Center
  - 1 Head Start
  - 51 School Age Program
  - 18 Outdoor Summer Camp School Age Program
  - 5 Drop In Program

For the fourth quarter SFY 2023 the following actions were taken:

- 113 Notices of Noncompliance (33 Prohibited Persons and 80 Regulation Compliance)
- 0 Emergency Suspension
- 0 Emergency Modification of the License
- 9 Notices of Intent to Deny
- 0 Notices of Intent to Suspend
- 3 Notices of Intent to Suspend and Assess a Civil Penalty
- 6 Notices of Intent to Assess a Civil Penalty
- 10 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 fourth quarter of SFY2023 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. 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 1,281 initial, annual, and compliance inspections
- Investigated 195 complaints of which 22 were for illegal care
- Reported approximately 9 instances of communicable diseases (All included COVID-19 related) in child care settings involving about 198 children and 109 adults
- Provided 142 orientation trainings (classroom setting or individual) to 255 potential providers (day care home, group day care home, and center-based)
- Referred 263 families to the statewide network of licensed child care resource and referral agencies for assistance in locating child care
- Offered 24 trainings to 466 child care providers
- Licensed surveyors were offered approximately 115 Professional Development classes and partook in approximately 248 hours of training

**Number of Completed Surveys by Program  
Type and Survey Reason**

Survey Completion Date Range: 04/01/2023 to 06/30/2023

		Total	To conduct the annual review	To conduct the initial survey	To investigate a complaint	To verify compliance
Total	Count of Surveys	1,419	893	155	221	150
	Distinct Count of Facilities	1,281	892	155	195	133
Building Based School Age Program	Count of Surveys	73	43	10	6	14
	Distinct Count of Facilities	65	43	10	6	13
Child Care Center	Count of Surveys	293	113	8	125	47
	Distinct Count of Facilities	223	113	8	102	42
Child Care Resource and Referral Agency	Count of Surveys	1	1	0	0	0
	Distinct Count of Facilities	1	1	0	0	0
Drop In Program	Count of Surveys	6	6	0	0	0
	Distinct Count of Facilities	6	6	0	0	0
Group Day Care Home	Count of Surveys	457	292	73	42	50
	Distinct Count of Facilities	423	292	73	41	44
Head Start Child Care Center	Count of Surveys	7	4	1	0	2
	Distinct Count of Facilities	5	4	1	0	1
Licensed Day Care Home	Count of Surveys	535	417	63	24	31
	Distinct Count of Facilities	513	416	63	23	27
Outdoor Summer Camp School Age	Count of Surveys	12	11	0	0	1
	Distinct Count of Facilities	12	11	0	0	1
Preschool	Count of Surveys	7	6	0	1	0
	Distinct Count of Facilities	7	6	0	1	0
Unknown Illegal Care	Count of Surveys	28	0	0	23	5
	Distinct Count of Facilities	27	0	0	22	5

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 fourth quarter 177 KLIS surveys were completed. This is 78 more than last quarter, which had a total of 99. This is a significant increase. CCL is currently working on updating regulations regarding health and safety standard across various program types. Because of this, on June 16<sup>th</sup>, KDHE officially paused the KLIS surveys within CLARIS. New KLIS surveys will need to be drafted once the health and safety components are approved and the programs completes the process of updating regulations.

**Full and KLIS Indicator Surveys by County and Program Type**  
**Date Range: 04/01/2023 to 06/30/2023**

**Note: "Indicator" is the KLIS shortened survey**

	<b>Total</b>	<b>Indicator</b>	<b>Extended</b>	<b>Extended</b>	<b>Full</b>
<b>Total</b>	832 100%	177 21%	78 9%	83 9%	494 59%
<b>Licensed Day Care Home</b>	425 100%	109 25%	41 9%	40 9%	235 55%
<b>Group Day Care Home</b>	290 100%	49 16%	31 10%	34 11%	176 60%
<b>Child Care Center</b>	108 100%	18 16%	5 4%	9 8%	76 70%
<b>Head Start Child Care</b>	4 100%	0 0%	0 0%	0 0%	4 100%
<b>Preschool</b>	5 100%	1 20%	1 20%	0 0%	3 60%

**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 27,161 facility searches and an average of 35,572 “View Findings” hits during the SFY23 fourth quarter. “View Findings” is how consumers review survey inspection reports conducted at each licensed facility. KDHE has increased efforts in communicating the importance of these findings reports through consumer education. As you can see, the clicks for “view findings” has steadily increased over the last several months. The 43,101 clicks in June is the highest recorded number of clicks dating back to 2013. Furthermore, this number is 19,501 more clicks than the fourth quarter of June 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 towards regarding consumer education for the public to use this tool as a way of locating healthy and safe child care. Efforts to increase awareness remain in place.

	04/01/23 - 06/30/23			
	PPIN020	PPIN021	PPIN022	
	Facility Search	Facility Report	View Findings	TOTAL
April	19,785	18,773	29,049	67,607
May	41,938	34,290	34,565	110,793
June	19,760	23,945	43,101	86,806
TOTAL	81,483	77,008	106,715	265,206
Monthly Average	27,161	25,669	35,572	88,402

**KDHE Website/ Child Care Licensing Website**

The CCL website contains regulation books, links to resources 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.

During the 4<sup>th</sup> quarter for SFY 2023, KDHE made significant updates to Child Care Licensing website. The updates include:

- Reorganized and updated language on how to open a child care facility. Steps outlining the process were made clearer and easier to find. New links were added to streamline processes to apply for licensure and to submit background checks. Resources were also added to streamline access to requirements from licensing partners across the state.
- A child care matters video upon the main page to increase awareness to the importance of licensed child care. This not only provides great information but creates a more welcoming environment for those who visit our webpage.
- A new digital online waiver was added to our webpage to streamline the background check process. Individuals wishing to work in a child care facility now have the option of

submitting this online waiver instead of mailing in a paper waiver. This digital process has significantly shortened wait times in processing background check applications.

- A new “find my surveyor” tool has been added to the website. Traditionally, a PDF document was the only online option for searching for and locating local surveyors across the state. This new tool enables individuals to physically search through GIS mapping to locate a local surveyor nearest them.
- Added regulation engagement session recordings to the website for stakeholders to view meetings previously held by licensing staff regarding the regulation revision project currently taking place. Licensing staff has also ensured these recordings and associated surveys are easy to find by placing links on the main page of the website.
- Updated forms for applicants to streamline the process for licensure.

Consumer education efforts continue for CCL as we look to update the right-hand panel of our website with useful information.

**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 1,046 applications were received during this reporting period; 797 (76%) were submitted online and 249 (24%) 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.

**Key Data**

**Facility and capacity for licensed programs as of June 30, 2023:**

Noticeable increases can be seen for School Age Programs, as the capacity rose 660 in capacity (previous quarter number was 32,196). Overall capacity increased by 547 (previous quarter was 141,492). Capacity decreased for Child Care Centers as numbers show a total of 3 closed between the third and fourth quarter. However, the program saw slight increases to School Age Programs and Group Licensed homes.

<b>Early Care and Youth Programs –Total Facility Count</b>		<b>Total Capacity Count</b>
<b>All Licensed Child Care Facilities</b>	<b>4,524</b>	<b>142,039</b>
<b>Licensed Center-Based Program</b>	<b>Number of Facilities</b>	<b>Total Capacity to Serve</b>
Child Care Center	653	52,938
Head Start Center	47	1,927
Preschool	115	2,826
School Age Program	353	32,856
School Age Drop-In Program	69	14,206
Outdoor Summer Camp Program	26	1,801

<b>Total Center-Based Programs</b>	<b>1,258</b>	<b>106,554</b>
<b>Licensed Home-Based Programs</b>	<b>Number of Facilities</b>	<b>Total Capacity to Serve</b>
Day Care Home	1,867	18,764
Group Day Care Home	1,391	16,721
<b>Total Home-Based Programs</b>	<b>3,255</b>	<b>35,485</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: 06/30/2023

**Early Care Facilities**

Total Capacity :	<u>142,039</u>
Regular Capacity :	<u>142,039</u>
Exception Capacity :	<u>0</u>
Total Cases :	<u>4524</u>

	<u>Facility Count</u>	<u>Total Capacity</u>	<u>Average Capacity</u>
<b>By County</b>	4,524	142,039	31.27
Building Based School Age Program	353	32,856	93.08
Child Care Center	653	52,938	80.82
Child Care Resource and Referral Agency	8	0	0.00
Drop In Program	69	14,206	205.88
Group Day Care Home	1,391	16,721	11.99
Head Start Child Care Center	47	1,927	41.00
Licensed Day Care Home	1,867	18,764	10.00
Outdoor Summer Camp School Age Program	26	1,801	69.27
Preschool	115	2,826	24.57

**Inspection Data:** What percentage of programs received monitoring visits, and at what frequency for each provider category during the Fourth Quarter SFY2023? (April 01, 2023 – June 30, 2023).

**Early Care and Youth Programs – Monitoring Visits  
(Initial, Annual, Compliance and Complaint Inspections)**



<b>Program</b>	<b># of Facilities</b>	<b># of Facilities Inspected</b>	<b>Percentage Receiving at least one Inspection</b>	<b># of Inspections</b>	<b>Average Number of Visits</b>
<b>Center-Based</b>	1,263	318	25%	398	1.25
<b>Home-Based</b>	3,258	936	29%	992	1.11

*\*\*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 fact that the surveyor may return under the initial survey requested if violations support it.*

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 SFY2023 (April 01, 2023 – June 30, 2023).

<b>Early Care and Youth Programs with License Suspended or Revoked or Denied a License</b>		
<b>Program</b>	<b>Suspended</b>	<b>Revoked</b>
Center-Based	1	0
Home-Based	0	3

*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**

04/01/2023 to 06/30/2023

			Total	
<b>Total Number of Revocations &amp; Suspensions</b>			4	4
<b>Bourbon</b>	<b>Total</b>		1	1
	<b>Revoked License</b>	<b>Total</b>	1	1
		Licensed Day Care Home	1	1
<b>Hodgeman</b>	<b>Total</b>		1	1
	<b>Revoked License</b>	<b>Total</b>	1	1
		Licensed Day Care Home	1	1
<b>Johnson</b>	<b>Total</b>		2	2
	<b>Revoked License</b>	<b>Total</b>	1	1
		Group Day Care Home	1	1
	<b>Suspended License</b>	<b>Total</b>	1	1
		Child Care Center	1	1

**Injury and Death Data:** Injuries occurring in child care as defined by the State/Territory during the Fourth Quarter SFY2023 (April 01, 2023 – June 30, 2023)

<b>Early Care and Youth Programs Reported Serious Injury*</b>	
<b>Total Number Reported</b>	<b>6</b>
<b>Program</b>	<b>Number Reported</b>
Center-Based	3
Home-Based	2

*\*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 SFY2023 (April 01, 2023 – June 30, 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

## Fourth Quarter SFY2023 (April 01, 2023 – June 30, 2023)

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

04/01/2023 to 06/30/2023  
# of Serious Injuries: 5

