

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 First Quarter (July 1, 2022 – September 30, 2022)  
Submitted December 30, 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 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 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 4,436 licensed child care facilities with a total capacity to serve 139,118 children ages 2 weeks to 16 years (as of 9/30/2022). 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.*) 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 first quarter SFY 2023 administrative staff in Topeka issued:

- **142 Initial Licenses**
  - 61 Licensed Day Care Home
  - 46 Group Day Care Home
  - 1 Preschool
  - 20 Child Care Center
  - 0 Head Start
  - 4 School Age Program
  - 10 Drop In Program
  - 1 Outdoor Summer Camp School Age Program
- **209 Temporary Permits**
  - 99 Licensed Day Care Home
  - 61 Group Day Care Home
  - 5 Preschool
  - 27 Child Care Center
  - 1 Head Start
  - 5 School Age Program
  - 11 Drop In Program
  - 0 Outdoor Summer Camp School Program
- **995 Renewal License**
  - 435 Licensed Day Care Home
  - 315 Group Day Care Home
  - 2 Preschool
  - 126 Child Care Center
  - 1 Head Start
  - 84 School Age Program
  - 8 Drop In Program
  - 24 Outdoor Summer Camp School Program

For the first quarter SFY 2023 Administrative Staff in Topeka issued a request:

- 142 Notices of Noncompliance (44 Prohibited Persons and 98 Regulation Compliance)
- 1 Emergency Suspension
- 0 Emergency Modification of the License
- 2 Notice of Intent to Deny
- 1 Notices of Intent to Suspend
- 2 Notices of Intent to Suspend and Assess a Civil Penalty
- 0 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 first quarter of SFY 2023 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 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.

**Licensing Activities - local surveyors:**

- Conducted 1,485 initial, annual, and compliance inspections
- Investigated 196 complaints of which 26 were for illegal care
- Investigated and/or provided technical assistance in approximately 18 incidents of communicable diseases (6 COVID-19 related) in child care settings involving about 703 children and 343 adults
- Provided 199 orientation trainings (classroom setting or individual) to 307 potential providers (day care home, group day care home, and center-based)
- Referred 251 families to the statewide network of licensed child care resource and referral agencies for assistance in locating child care
- Offered 28 trainings to 609 child care providers

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

Survey Completion Date Range: 07/01/2022 to 09/30/2022

		Total	To conduct the annual review	To conduct the initial survey	To investigate a complaint	To verify compliance
<b>Total</b>	Count of Surveys	1,690	1,071	172	221	226
	Distinct Count of Facilities	1,485	1,071	172	196	201
<b>Building Based School Age Program</b>	Count of Surveys	142	121	4	7	10
	Distinct Count of Facilities	134	121	4	6	10
<b>Child Care Center</b>	Count of Surveys	365	141	24	119	81
	Distinct Count of Facilities	264	141	24	100	68
<b>Child Care Resource and Referral Agency</b>	Count of Surveys	1	1	0	0	0
	Distinct Count of Facilities	1	1	0	0	0
<b>Drop In Program</b>	Count of Surveys	39	16	11	0	11
	Distinct Count of Facilities	28	16	11	0	11
<b>Group Day Care Home</b>	Count of Surveys	456	305	54	35	62
	Distinct Count of Facilities	415	305	54	31	59
<b>Head Start Child Care Center</b>	Count of Surveys	12	9	1	0	2
	Distinct Count of Facilities	10	9	1	0	1
<b>Licensed Day Care Home</b>	Count of Surveys	613	453	73	32	55
	Distinct Count of Facilities	575	453	73	31	47
<b>Outdoor Summer Camp School Age</b>	Count of Surveys	21	17	0	2	2
	Distinct Count of Facilities	18	17	0	2	2
<b>Preschool</b>	Count of Surveys	16	8	5	0	3
	Distinct Count of Facilities	14	8	5	0	3
<b>Unknown Illegal Care</b>	Count of Surveys	26	0	0	26	0
	Distinct Count of Facilities	26	0	0	26	0

KDHE has continued efforts to increase the knowledge and skills of regulatory staff. During the reporting period, local surveyors completed 79 training courses totaling 211.25 hours of professional development. Regional surveyor virtual meetings were held with a focus on additional supports for child care providers that continue to be available due to the pandemic (waived fees effective 9/1/21, child care health consultant connections, impact grants, and more). One-on-one coaching, mentoring, and technical assistance was provided by KDHE District Specialists throughout the reporting period. This occurred via phone and face to face.

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 first quarter 7 KLIS surveys were done.

#### Full and KLIS Indicator Surveys by County and Program Type

Date Range: 07/01/2022 to 09/30/2022

Note: "Indicator" is the KLIS shortened survey

	Total	Indicator	ExtendedReg	Extended	Full
<b>Total</b>	925 100%	7 0%	4 0%	5 0%	909 98%
<b>Licensed Day Care Home</b>	447 100%	3 0%	1 0%	2 0%	441 98%
<b>Group Day Care Home</b>	301 100%	4 1%	3 0%	3 0%	291 96%
<b>Child Care Center</b>	156 100%	0 0%	0 0%	0 0%	156 100%
<b>Head Start Child Care</b>	11 100%	0 0%	0 0%	0 0%	11 100%
<b>Preschool</b>	10 100%	0 0%	0 0%	0 0%	10 100%

**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 11,747 facility searches (decrease of approximately 4,000 from last quarter) and 26,851 “View Findings” hits (increase of approximately 2,500 from last quarter) during the SFY 2023 first quarter. View Findings is the review of licensing survey inspection reports.

**Number of OIDS hits  
by Month and Year**

Data in this report is updated on a monthly basis. Data is current as of the last day of the previous month.

\* PPIN020 - OIDS Facility Search  
\* PPIN021 - Child Care Facility Report  
\* PPIN022 - View Findings

2022

	PPIN020	PPIN021	PPIN022	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
April	15,796	15,533	26,599	57,928
May	14,214	14,690	22,195	51,099
June	17,433	17,319	23,600	58,352
July	12,472	16,740	34,821	64,033
August	10,916	11,879	23,586	46,381
September	11,855	12,490	22,148	46,493
October	10,507	12,030	21,230	43,767
November	11,162	13,008	20,729	44,899
<b>TOTAL</b>	<b>138,833</b>	<b>150,457</b>	<b>259,454</b>	<b>548,744</b>

OIDS Hits Per Year

**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. Additionally, a parent page is available which includes FAQs, option to submit a complaint online, and function to search inspection results for licensed child care facilities (licensing and compliance history dating back three years).

The website also includes specific information about COVID-19 (since early 2020), including a link to comprehensive information via the KDHE state public health resource center for the pandemic. The COVID-19 Resource Center contains guidance specifically for child care providers and families. FAQs and guidance for licensed facilities are updated regularly/as needed to ensure alignment with KDHE and the Centers for Disease Control and Prevention (CDC). Information was posted on the front page for consumers regarding the notice of hearings and actions regarding the proposed amendment changes to regulation K.A.R. 28-4-114. The website was also updated to notify of the revised fingerprint waiver and FBI privacy policy. Updates were also posted to the website to introduce the new LiveScan process regarding an increase to digital fingerprinting locations across the state of Kansas.

**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 124 applications were received during the reporting period; 92 (74%) were submitted online and 32 (26%) 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.

The provider portal was enhanced during this reporting period to increase the amount of information available to facilities about affiliates that are required to have a comprehensive background check (including fingerprinting). Additional statuses were added to the background check processing view.

**Key Data**

**Facility and capacity for licensed programs as of September 30, 2022**

<b>Early Care and Youth Programs –Total Facility Count</b>		<b>Total Capacity Count</b>
<b>All Licensed Child Care Facilities</b>	<b>4,436</b>	<b>139,118</b>
<b>Licensed Center-Based Program</b>	<b>Number of Facilities</b>	<b>Total Capacity to Serve</b>
Child Care Center	651	52,086
Head Start Center	46	1,853
Preschool	119	2,887
School Age Program	345	32,073
School Age Drop-In Program	68	14,110
Outdoor Summer Camp Program	25	1,741
<b>Total Center-Based Programs</b>	<b>1,254</b>	<b>104,750</b>

<b>Licensed Home-Based Programs</b>	<b>Number of Facilities</b>	<b>Total Capacity to Serve</b>
Day Care Home	1,870	18,691
Group Day Care Home	1,305	15,677
<b>Total Home-Based Programs</b>	<b>3,175</b>	<b>34,368</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: 09/30/2022

#### Early Care Facilities

Total Capacity :	<u>139,118</u>
Regular Capacity :	<u>139,118</u>
Exception Capacity :	<u>0</u>
Total Cases :	<u>4436</u>

	<u>Facility Count</u>	<u>Total Capacity</u>	<u>Average Capacity</u>
<b>By County</b>	4,436	139,118	31.34
Building Based School Age Program	345	32,073	92.70
Child Care Center	651	52,086	79.89
Child Care Resource and Referral Agency	8	0	0.00
Drop In Program	68	14,110	207.50
Group Day Care Home	1,305	15,677	11.99
Head Start Child Care Center	46	1,853	40.28
Licensed Day Care Home	1,870	18,691	10.00
Outdoor Summer Camp School Age Program	25	1,741	69.64
Preschool	119	2,887	24.26



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

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Child Care Center	Count of Surveys	365	141	24	119	81
	Distinct Count of Facilities	264	141	24	100	68
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	38	16	11	0	11
	Distinct Count of Facilities	28	16	11	0	11
Group Day Care Home	Count of Surveys	456	305	54	35	62
	Distinct Count of Facilities	415	305	54	31	59
Head Start Child Care Center	Count of Surveys	12	9	1	0	2
	Distinct Count of Facilities	10	9	1	0	1
Licensed Day Care Home	Count of Surveys	613	453	73	32	55
	Distinct Count of Facilities	575	453	73	31	47
Outdoor Summer Camp School Age	Count of Surveys	21	17	0	2	2
	Distinct Count of Facilities	18	17	0	2	2
Preschool	Count of Surveys	16	8	5	0	3
	Distinct Count of Facilities	14	8	5	0	3
Unknown Illegal Care	Count of Surveys	26	0	0	26	0
	Distinct Count of Facilities	26	0	0	26	0

**Inspection Data:** What percentage of programs received monitoring visits, and at what frequency for each provider category during the first quarter SFY 2023 (July 1, 2022 – September 30, 2022)

Program	Facilities	Facilities Inspected	% receiving one survey	# inspections	Avg # of visit	inspection type--surveys				
						annual	initial	complaint	compliance	
SAP	347	85	24%	96	1.13	64	8	3	21	
CCC	632	243	38%	313	1.29	139	6	89	79	
DIP	57	18	32%	18	1.00	17	0	0	1	
GDCH	1302	410	31%	454	1.11	292	65	38	59	
HSC	47	6	13%	6	1.00	4	0	1	1	
LDCH	1890	589	31%	628	1.07	476	59	31	62	
OSC	27	8	30%	9	1.13	7	1	0	1	
PS	117	28	24%	28	1.00	23	0	0	5	
center base	1227	388	32%	470	1.21	254	15	93	108	470
homebased	3192	999	31%	1082	1.08	768	124	69	121	1082
	4419	1387	31%	1552	1.12					1552

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

*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.*

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 first quarter SFY 2023 (July 1, 2022 – September 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	2

*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.*

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

07/01/2022 to 09/30/2022

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

			Total	2022		
				Total	Revoked License	Suspended License
<b>Total Number of Revocations &amp; Suspensions</b>			<b>3</b>	3	<b>2</b>	<b>1</b>
<b>Hamilton</b>	<b>Total</b>		1	1	1	0
	<b>Revoked License</b>	<b>Total</b>	1	1	1	0
		Licensed Day Care Home	1	1	1	0
<b>Reno</b>	<b>Total</b>		1	1	1	0
	<b>Revoked License</b>	<b>Total</b>	1	1	1	0
		Licensed Day Care Home	1	1	1	0
<b>Sedgwick</b>	<b>Total</b>		1	1	0	1
	<b>Suspended License</b>	<b>Total</b>	1	1	0	1
		Group Day Care Home	1	1	0	1

**Injury and Death Data:** Injuries occurring in child care as defined by the State/Territory during the first quarter SFY 2023 (July 1, 2022 – September 30, 2022)

<b>Early Care and Youth Programs Reported Serious Injury*</b>	
<b>Total Number Reported</b>	<b>18</b>
<b>Program</b>	<b>Number Reported</b>
Center-Based	10
Home-Based	8

*\*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 first quarter SFY 2023 (July 1, 2022 – September 30, 2022)

**SFY 2023 (July 1, 2022 – September 30, 2022)**

Early Care and Youth Programs Reported Deaths	
<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**

*SFY2023 First Quarter (July 1, 2022 – September 30, 2022)*

Number of Child Injuries in Child Care Facilities in Kansas  
By Program Type, Type  
FFY22  
07/01/2022 to 09/30/2022  
# of Serious Injuries: 18



