

**199.665 Performance-based contracting for child-caring facilities and child-placing agencies -- Study group -- Implementation -- Administrative regulations. (Effective until January 1, 2023)**

- (1) As used in this section, unless the context otherwise requires;
  - (a) "Cabinet" means the Cabinet for Health and Family Services;
  - (b) "Performance-based contracting" means an approach that stresses permanency outcomes for children and utilizes a payment structure that reinforces provider agencies' efforts to offer services that improve the outcomes for children; and
  - (c) "Secretary" means the secretary of the Cabinet for Health and Family Services.
- (2) The secretary shall designate a study group to make recommendations regarding the creation and implementation of performance-based contracting for licensed child-caring facilities and child-placing agencies in the Commonwealth.
- (3) The study group shall be composed of the following members:
  - (a) The secretary;
  - (b) The commissioner for the Department for Community Based Services;
  - (c) The director of the Administrative Office of the Courts, or designee;
  - (d) The executive director of the Governor's Office of Early Childhood, or designee;
  - (e) One (1) adult who was a former foster child in the Commonwealth;
  - (f) One (1) adult who is a current or former foster parent in the Commonwealth;
  - (g) Two (2) employees of a licensed child-placing agency;
  - (h) Two (2) employees of a licensed child-caring facility; and
  - (i) Any personnel within the Department for Community Based Services that the secretary deems necessary.
- (4) In its deliberations, the study group shall include but not be limited to analysis of improved timeliness and likelihood of permanency such as reunification, adoption, or guardianship; fewer moves for children in foster care; and reduced instances of reentry into care.
- (5) The study group shall report its recommendations by December 1, 2018, to the Governor, the Interim Joint Committees on Appropriations and Revenue and Health and Welfare and Family Services, and the Child Welfare Oversight and Advisory Committee established in KRS 6.943. The study group shall cease to operate after the delivery of the recommendations required by this subsection.
- (6) By July 1, 2019, the cabinet shall:
  - (a) Establish and implement performance-based contracting for licensed child-caring facilities and child-placing agencies that contract with the department for services; and
  - (b) Apply and implement all standards, processes, and procedures established for performance-based contracting for licensed child-caring facilities and child-placing agencies in accordance with paragraph (a) of this subsection to all

other cabinet-operated programs that are like those operated by child-caring facilities and child-placing agencies.

- (7) The cabinet shall promulgate administrative regulations to implement this section.

**Effective:** July 14, 2018

**History:** Created 2018 Ky. Acts ch. 159, sec. 9, effective July 14, 2018.