

SB 490 -4, -6 STAFF MEASURE SUMMARY

Senate Committee On Human Services

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Meeting Dates: 2/26, 4/9

WHAT THE MEASURE DOES:

Expands list of individuals prohibited from providing child care for five years to include individuals who have operated child care facilities in violation of Central Background Registry law and Child Care Facility law, and individuals with suspended certification, registration, or enrollment in Central Background Registry. Permanently prohibits individuals who have been subject, in any state, of substantiated report of child abuse in which victim suffered serious harm or death and individuals required to report as sex offenders from providing care to children and from enrollment in Central Background Registry. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Provisions of the measure
- Recent incidents of child abuse resulting in fatalities

EFFECT OF AMENDMENT:

-4 Modifies individuals prohibited from providing child care to include individuals whose certification or registration has been revoked or denied.

REVENUE: No revenue impact.

FISCAL: No fiscal impact.

-6 Replaces measure. Expands list of individuals prohibited from providing child care for five years to include individuals who have operated child care facilities in violation of Central Background Registry (registry) law and Child Care Facility law, and individuals with suspended certification, registration, or enrollment in registry. Permanently prohibits individuals who have been subject, in any state, of substantiated report of child abuse in which victim suffered serious harm or death and individuals required to report as sex offenders from providing care to children and from enrollment in registry. Requires individuals who have been subject of a founded or substantiated report of child abuse apply and enroll in registry prior to providing child care under specified circumstances. Requires Office of Child Care (OCC) remove individuals from registry who are prohibited from enrolling in registry. Authorizes OCC impose civil penalties for violations of child care laws. Declares emergency, effective on passage.

REVENUE: No revenue impact.

FISCAL: Fiscal impact issued.

BACKGROUND:

Child care facilities are entities providing child care to children and include day nurseries, nursery school, child care centers, certified or registered family child care homes, or similar entities operating under any name. Child care providers must be licensed, registered, or certified with the Office of Child Care (OCC) within the Early Learning Division (ELD) of the Department of Education. The OCC licenses roughly 1,000 certified child care centers, 350 certified family child care homes, and 4,000 registered family child care homes, as well as collects and publishes information on preschool and school-age recorded programs.

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All child care staff and any individual who may have unsupervised access to children (e.g., adults living in the home, volunteers, maintenance staff, office staff, and regular visitors) must enroll in the Central Background Registry administered by the OCC. Applicants to the registry undergo a background check to determine if they are permitted on the premises. The OCC conducts on-site assessments for all complaint allegations. The public can search for facilities online to find complaint information for those actively licensed, in the process of becoming licensed or those found to be providing illegal child care.

Senate Bill 490 expands the list of individuals prohibited from providing child care for five years to include individuals who have operated child care facilities in violation of the Central Background Registry law and the Child Care Facility law, as well as individuals who have a suspended certification, registration, or enrollment in the Central Background Registry. The measure permanently prohibits individuals who have been subject, in any state, of a substantiated report of child abuse in which the victim suffered serious harm or death from providing care to children and from enrollment in Central Background Registry. The measure also permanently prohibits individuals required to report as sex offenders from providing care to children and from enrollment in Central Background Registry.