

SB 490 B STAFF MEASURE SUMMARY

House Committee On Human Services and Housing

Action Date: 05/20/19

Action: Do pass with amendments to the A-Eng bill, and be referred to Ways and Means.
(Printed B-Eng).

Vote: 8-0-1-0

Yeas: 8 - Helt, Meek, Mitchell, Noble, Sanchez, Schouten, Williams, Zika

Exc: 1 - Keny-Guyer

Fiscal: Fiscal impact issued

Revenue: No revenue impact

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Meeting Dates: 5/8, 5/15, 5/20

WHAT THE MEASURE DOES:

Expands list of individuals prohibited from providing child care for five years to include those with suspended certification, registration, or enrollment in Central Background Registry (registry), and those whose certification or registration has been revoked or denied under specified circumstances. Permanently prohibits individuals who have been the subject of a substantiated report of child abuse in which victim suffered serious harm or death, and individuals required to report as sex offenders in any state, from providing child care and from enrollment in registry. Requires individuals who have been the subject of a founded or substantiated report of child abuse to 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. Authorizes OCC to impose civil penalties for violations of child care laws. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Licensing requirements for child care providers
- Restrictions on Central Background Registry enrollment when a child has been killed or severely injured while in a person's care, a person is a registered sex offender, or a person has a substantiated report of child abuse
- Also known as AJ's bill

EFFECT OF AMENDMENT:

Clarifies term "exempt prohibited individual." Establishes time limits for qualifying events for enrollment in the Central Background Registry. Makes technical changes to resolve conflict with House Bill 2027.

BACKGROUND:

Child care facilities include day nurseries, nursery schools, 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, and collects and publishes information on preschool and school-age recorded programs.

All child care staff and any individual who may have unsupervised access to children, such as adults living in the home, volunteers, maintenance staff, office staff, and regular visitors, must enroll in the Central Background Registry (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 child care without a license.

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Senate Bill 490 B expands the list of individuals prohibited from providing child care for five years to include those who have a suspended certification, registration, or enrollment in the registry and those whose certification or registration has been revoked or denied under specified circumstances. The measure permanently prohibits individuals from providing child care or enrolling in the registry who are required to report as sex offenders or who have been the subject of a substantiated report of child abuse in which the victim suffered serious harm or death in any state. Senate Bill 490 B also requires individuals who have been the subject of a founded or substantiated report of child abuse to apply and enroll in the registry prior to providing child care, and requires the OCC to remove individuals from the registry who are prohibited from enrolling. Finally, the measure authorizes the OCC to impose civil penalties for violations.