

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass the A-Engrossed Measure
Vote: 4 - 1 - 0
Yeas: Monnes Anderson, Telfer, Verger, Morrisette
Nays: Kruse
Exc.: 0
Prepared By: Jennifer Kellar, Administrator
Meeting Dates: 5/18

WHAT THE MEASURE DOES: Allows the Child Care Division of the Oregon Employment Department to impose a civil penalty of up to \$500 on licensed and certified child care facilities that violate statutes governing those facilities. Allocates revenues from the penalty to the Child Care Fund. Establishes minimum requirements for assessing penalties and a quarterly maximum for penalty amounts.

ISSUES DISCUSSED:

- Types of child care licenses
- “Serious” versus “non-serious” infractions
- Civil penalty infractions and assessments
- Addition of interim step prior to action being taken against provider’s license
- Graduated response to rule violations; equal regulatory sanctions

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 657 distinguishes two kinds of childcare licenses; registration and certification. Current law gives the Oregon Employment Department’s Child Care Division authority to assess fines for licensing violations in registered homes. There is currently no statutory provision to assess fines in certified facilities, which has resulted in a situation where more lightly regulated programs are subject to stricter penalties. It also means that the division has no means to compel compliance in certified facilities unless it takes legal action against the license. House Bill 2205-A applies to a standardized penalty structure to both kinds of childcare licenses.