

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action: Do Pass
Vote: 7 - 0 - 2
Yeas: Boone, Cowan, Dembrow, Freeman, Huffman, VanOrman, Tomei
Nays: 0
Exc.: Maurer, Olson
Prepared By: Keely West, Administrator
Meeting Dates: 2/13, 2/23

WHAT THE MEASURE DOES: Prevents childcare providers whose licenses are denied, suspended, revoked or voluntarily surrendered in lieu of legal action from continuing to care for children or operate a preschool. Prevents individuals who are denied, suspended or removed from the Criminal History Registry for cause from providing care to children or operating a preschool.

ISSUES DISCUSSED:

- Lifetime prohibition on childcare
- Parental responsibility for childcare
- Statutory exceptions for “occasional care”
- Pay as a determining factor
- Low cost options to improve oversight of unregistered and unlicensed childcare

EFFECT OF COMMITTEE AMENDMENT: No Amendment.

BACKGROUND: The Oregon Employment Department (OED) has statutory authority to license and regulate individuals and facilities that provide child care in the state. State law requires individuals who live, work or frequently visit childcare facilities to enroll in the Criminal History Registry before having unsupervised contact with children. The OED Childcare Division performs quarterly criminal history checks and has the authority to remove individuals from the registry for cause. Currently, a child care facility’s license may be denied, revoked, or suspended for violating or not complying with licensing requirements, including enrollment in the registry. Oregon’s childcare statutes are intended to ensure the health and safety of children but, according to OED, exemptions of care for “up to three children” from licensing and regulation allows individuals who have lost their license or been removed from the Criminal History Registry for cause, to continue to care for children.

HB 2206 defines these individuals and facilities as “child care”, bringing them under the division’s regulatory authority and making them subject to penalties for continuing to care for children.