

HB 4065 B STAFF MEASURE SUMMARY**Carrier:** Sen. Gelser**Joint Committee On Ways and Means****Action Date:** 02/28/18**Action:** Do pass the B-Eng bill.**Senate Vote****Yeas:** 10 - DeBoer, Frederick, Girod, Hansell, Johnson, Manning Jr, Monroe, President Courtney, Steiner Hayward, Thomsen**Exc:** 2 - Roblan, Winters**House Vote****Yeas:** 11 - Gomberg, Holvey, McLane, Nathanson, Noble, Rayfield, Smith G, Smith Warner, Stark, Whisnant, Williamson**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Doug Wilson**WHAT THE MEASURE DOES:**

Prohibits a child care provider from providing care for five years after having a certification, registration, or enrollment on the Central Background Registry denied for cause or revoked. Allows the Office of Child Care (OCC) to take action against an individual or a child care facility regardless of the lapse, suspension, revocation, or voluntary surrender of a certification, registration, or enrollment on the Central Background Registry. Allows OCC to issue cease and desist orders against an individual or a child care facility, impose conditions on a facility's license, and develop a system of progressively stronger enforcement actions. Adds the Attorney General and county prosecuting attorneys to those authorized to seek injunctions against child care facilities. Increases maximum penalties for violating the statutes governing child care facilities. Requires the Early Learning Council to adopt rules, policies, and standards to promote information sharing between OCC and the Department of Human Services. Includes kindergarteners in the definition of "school age" for purposes of registered school-age recorded programs and family child care homes.

Effective date for some provisions on passage and others on September 30, 2018. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Amount of increase in the penalties included in the bill
- Impact of bill on the supply of child care providers

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

The Office of Child Care (OCC) is part of the Early Learning Division in the Oregon Department of Education. OCC licenses certified child care centers, certified family child care homes, and registered family child care homes. Child care staff and individuals who may have unsupervised access to children must apply to the Central Background Registry, administered by the OCC. Applicants to the Registry undergo a background check to determine if they can be enrolled.

In 2017, the OCC Statutory Work Group convened to look for ways to strengthen and align regulation of licensed child care facilities to protect children and respond quickly to child safety concerns. The group included legislators, OCC representatives, and stakeholders. The work group met numerous times during the interim. HB 4065 is the result of the work group's efforts.

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HB 4065 contains numerous provisions regarding OCC enforcement of child care laws and regulations and penalties for violations.