

**SB 490 A STAFF MEASURE SUMMARY****Carrier:** Sen. Gelser**Senate Committee On Human Services****Action Date:** 04/09/19**Action:** Do pass with amendments. (Printed A-Eng.)**Vote:** 5-0-0-0**Yeas:** 5 - Fagan, Gelser, Heard, Knopp, Monnes Anderson**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Jamie Hinsz, LPRO Analyst**Meeting Dates:** 2/26, 4/9**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or enrollment in Central Background Registry (registry), and those whose certification or registration has been revoked or denied under specified circumstances.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 care to children 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:**

- Recent incidents of child abuse resulting in fatalities

**EFFECT OF AMENDMENT:**

Replaces the measure.

**BACKGROUND:**

Child care facilities are entities providing child care to children and 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 (e.g., 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.

Senate Bill 490 A 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

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death in any state. Senate Bill 490 A 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 registry who are prohibited from enrolling. Finally, the measure authorizes the OCC to impose civil penalties for violations.