

HB 2027 A STAFF MEASURE SUMMARY**Carrier:** Sen. Gelser**Senate Committee On Human Services**

Action Date: 05/14/19
Action: Do pass the A-Eng bill.
Vote: 4-0-1-0
Yeas: 4 - Fagan, Gelser, Heard, Monnes Anderson
Exc: 1 - Knopp
Fiscal: Fiscal impact issued
Revenue: No revenue impact
Prepared By: Jamie Hinsz, LPRO Analyst
Meeting Dates: 5/7, 5/14

WHAT THE MEASURE DOES:

Allows the Office of Child Care (OCC) to consider any information it deems relevant to a provider's enrollment in the Central Background Registry (Registry) by rule. Authorizes OCC to take evidence, depose individuals, compel the appearance of witnesses and production of documents, require answers to interrogatories, and inspect premises when investigating regulated subsidy facilities, as defined by the Early Learning Council (ELC). Expands definition of "exempt prohibited individual," for purposes of five-year prohibition against providing child care, to include individuals whose certification, registration, or enrollment in Registry has been suspended, , denied or removed. Permits school district, political subdivision, or governmental agency to apply for child care facility certification. Establishes opportunity for hearing when OCC imposes condition on child care facility's certification or registration. Allows ELC to adopt rules to establish minimum health and safety standards for regulated subsidy facilities in consultation with Department of Human Services.

ISSUES DISCUSSED:

- Provisions of the measure

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

Child care facilities are entities that provide child care, including 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. 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 apply to enroll in the Central Background Registry maintained by the OCC. The OCC is currently required to conduct series specific background checks when individuals apply, including a search of criminal records, child abuse and neglect records, foster care records, and adult protective services records. The OCC also responds to complaints, conducts on-site assessments of limited scope, and may impose conditions on licensees.

House Bill 2027 A clarifies OCC's duties and responsibilities with regard to oversight of child care facilities and providers, by authorizing its discretion to consider any information it deems relevant to a provider's enrollment in the Central Background Registry, specifying its formal investigatory powers, and providing licensees with an opportunity to request a hearing when conditions are imposed, among other modifications.