

SB 50 A STAFF MEASURE SUMMARY

Senate Committee On Human Services, Mental Health and Recovery

Action Date: 04/06/21

Action: Do pass with amendments and requesting referral to Ways and Means. (Printed A-Engrossed.)

Vote: 5-0-0-0

Yeas: 5 - Anderson, Gelser, Lieber, Robinson, Taylor

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: C. Ross, Counsel

Meeting Dates: 3/4, 3/25, 4/6

WHAT THE MEASURE DOES:

Requires personnel associated with recorded programs for preschool and school-age children to enroll in the Central Background Registry. Provides for personnel to continue working or volunteering after January 2, 2022, without being enrolled in the Central Background Registry if certain criteria are met: the program must have completed a background check and personnel must have been employed or volunteering before the deadline, with an application to enroll pending by June 30, 2022, and no notice of intent to deny enrollment issued. Explicitly authorizes the Office of Child Care (OCC) to process applications for enrollment. Collapses two redundant statutory sections into one, applicable to recorded programs. Sunsets provisions that "grandfather-in" personnel on January 2, 2024. Operative January 2, 2022. Takes effect on 91st day following adjournment *sine die*.

ISSUES DISCUSSED:

- Inconsistencies in child care system identified by Secretary of State audit in 2020; licensed programs versus recorded programs
- Impact of significant delay (waiting for completion of background checks) on the ability of large organizations in particular, such as YMCA and Boys and Girls Clubs, to stand-up emergency care and to return to full capacity in local communities
- Potential for such programs to engage volunteers or paid employees who are not eligible to enroll in the Central Background Registry
- Portability of individual's enrollment in Central Background Registry

EFFECT OF AMENDMENT:

Provides for personnel to continue working or volunteering for recorded programs after January 2, 2022, without being enrolled in the Central Background Registry if certain criteria are met: the program must have completed a background check and personnel must have been employed or volunteering before the deadline, with an application to enroll pending by June 30, 2022, and no notice of intent to deny enrollment issued. Explicitly authorizes OCC to process applications for enrollment. Repeals the preceding provisions January 2, 2024. Removes requirement to establish minimum health and safety standards for recorded programs via rulemaking. Sets operative date of January 2, 2022, and takes effect on 91st day following adjournment *sine die*.

BACKGROUND:

Recorded programs for preschool children are defined as primarily educational, and delivered at a facility where children are only present up to four hours per day. Recorded programs for school-age children are defined as delivering developmental content outside of school hours and under the purview of school districts. Recorded programs are distinguished from other participants in the early learning system and are currently regulated differently. Program operators are currently required to perform criminal backgrounds checks for all program personnel, which they certify has been accomplished when a program is recorded with the Office of Child Care

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(OCC) at the Early Learning Division (ELD).

Senate Bill 50 A requires personnel associated with recorded programs for preschool and school-age children to enroll in the Central Background Registry maintained by the OCC, the same as other personnel in the early learning system who interact with children.