

SB 1547 A STAFF MEASURE SUMMARY

Senate Committee On Human Services, Mental Health and Recovery

Action Date: 02/10/22

Action: Do pass with amendments. Refer to Ways and Means by prior reference. (Printed A-Eng).

Vote: 3-0-2-0

Yeas: 3 - Gelser Blouin, Lieber, Sollman

Exc: 2 - Kennemer, Robinson

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: C. Ross, LPRO Analyst

Meeting Dates: 2/1, 2/3, 2/8, 2/10

WHAT THE MEASURE DOES:

Requires personnel associated with recorded programs for preschool and school-age children to enroll in the Central Background Registry (CBR). Temporarily provides for exceptions if certain criteria are met, sunseting exceptions January 2, 2025. Collapses two redundant statutory sections into one, applicable to recorded programs. Clarifies applicability of secure transport regulations to close loopholes and authorize enforcement by the Department of Human Services (DHS). Operative January 1, 2023. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Informational meeting on LC 173 during the interim, on January 13, 2022
- Allowing transition time for current volunteers and employees of recorded programs
- Authorizing the Office of Child Care (OCC) to investigate noncompliance with CBR enrollment
- Secretary of State audit in 2020 that identified inconsistency in background checks
- Examples of impacted entities including Boys and Girls Clubs and the YMCA
- Provisions of amendment, closing loopholes in regulation of secure transportation providers established via Senate Bill 710 (2021)
- Inadvertently capturing ambulances and entities traveling with the children they care for among regulated transport providers
- Anticipating need for additional clarification in the future, that becomes evident over time with practical implementation

EFFECT OF AMENDMENT:

Clarifies secure transport providers that are subject to regulation, and makes more explicit providers that are exempt. Specifies that a trip via secure transport refers to the *child's* trip, not a provider's route. Requires conspicuous display of certain disclosures with respect to licensing, to inhibit exploitation of misimpression that a given provider complies with Oregon's safer requirements when it does not. Authorizes enforcement by DHS. Makes other conforming changes and provides captions for convenience.

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. Both types of recorded programs are treated differently than other participants in the early learning system and are currently regulated differently: program operators are required to perform criminal background checks for all program personnel, which they attest has been accomplished when they file program information with the Office of Child Care (OCC) at the Early Learning Division (ELD).

SB 1547 A STAFF MEASURE SUMMARY

Senate Bill 1547 A requires personnel associated with recorded programs for preschool and school-age children to enroll in the Central Background Registry (CBR) maintained by the OCC, the same as other personnel in the early learning system who interact with children. The measure also clarifies the applicability of secure transport regulations established in 2021 via Senate Bill 710, to exempt ambulances and other travel that was captured inadvertently; and to close loopholes and authorize enforcement by the Department of Human Services (DHS).