

HOUSE BILL ANALYSIS

HB 2685

Title: An act relating to criminal history background checks.

Brief Description: Providing for the use of criminal history records by the secretary of social and health services in establishing licensing requirements.

Sponsors: Representatives D. Sommers, Tokuda and O'Brien; by request of Department of Social and Health Services.

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Meeting Date: January 27, 2000.

Bill Analysis Prepared by: Tracey Taylor (786-7196).

Background: The Department of Social and Health Services (DSHS) licenses facilities to provide care to children, expectant mothers, and the developmentally disabled. DSHS must consider the size and suitability of the facility as well as the suitability, character and competence of any persons associated with the agency who will be directly responsible for the care and supervision of children, expectant mothers, or the developmentally disabled.

In order to determine the suitability of an agency or person, the department performs background checks on applicants for licenses to care for children, expectant mothers and the developmentally disabled. This is conducted through the Washington State Patrol's (WSP) database. Investigations examine the conviction record, pending charges, or dependency record information of any person. If an individual has not resided in Washington for at least three years, a fingerprint check is run, and the expense is charged to the individual in most cases.

Summary of Bill: In determining the character, suitability, and competence of a licensing applicant, their employees, or other persons with unsupervised access to children, expectant mothers and the developmentally disabled, the department must investigate the person's conviction record, pending charges, and dependency record information. The department may rely on a criminal history records check conducted by the WSP, the FBI, another agency, or the U.S. military if the check is less than one year old. A fingerprint check is required for new residents (those who have not resided in Washington for the past three years), except those exempt under another statute. The department may share the information obtained through this check with the licensing agency responsible for certifying the license or applicant.

Appropriation: None.

Fiscal Note: None.

Effective Date: Ninety days after adjournment of session in which bill is passed.