

# HOUSE BILL REPORT

## SB 6404

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**As Reported by House Committee On:**  
Early Learning & Human Services

**Title:** An act relating to background checks for persons providing child care services.

**Brief Description:** Concerning background checks for persons providing child care services.

**Sponsors:** Senators Wellman, Mullet, Fain, Hunt and Kuderer; by request of Department of Early Learning.

**Brief History:**

**Committee Activity:**

Early Learning & Human Services: 2/21/18, 2/23/18 [DP].

**Brief Summary of Bill**

- Requires child care licensees and employees to submit new background check applications, and pay associated fees, to the Department of Children, Youth, and Families when renewing a background clearance.
- Exempts in-home/relative providers who receive state subsidies from paying background check fees.

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### HOUSE COMMITTEE ON EARLY LEARNING & HUMAN SERVICES

**Majority Report:** Do pass. Signed by 13 members: Representatives Kagi, Chair; Senn, Vice Chair; Dent, Ranking Minority Member; McCaslin, Assistant Ranking Minority Member; Eslick, Frame, Goodman, Griffey, Kilduff, Klippert, Lovick, Muri and Ortiz-Self.

**Staff:** Dawn Eychaner (786-7135).

**Background:**

Child Care Background Checks.

The Department of Early Learning (DEL) regulates child care licensing and conducts background checks for individuals applying for child care licenses and their employees. An individual applying for a DEL background clearance for the first time must complete a fingerprint-based background check against criminal history records held by the Washington

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State Patrol and the Federal Bureau of Investigation. The results of the background check are used to determine whether an individual is of appropriate character, suitability, and competence to provide child care or early learning services.

An individual may not have unsupervised access to children in care until he or she receives a background check clearance from the DEL. No provider is eligible for child care subsidy payments until the background check clearance is complete.

The DEL charges individuals a fee for the cost of the background check process. The fees may include a fingerprint processing fee of \$43.50, plus a DEL administrative fee of either \$12 for an electronic application or \$24 for a paper application. A background check clearance is valid for three years and is portable, meaning the individual may use the clearance to work in multiple child care settings.

Family, Friend, and Neighbor Providers.

In-home/relative child care providers, also referred to as Family, Friend, and Neighbor (FFN) providers, receiving state subsidies under the Working Connections Child Care (WCCC) program are not required to be licensed but are required by federal and state rules to complete a background check. The WCCC program rules require background checks to be completed every two years.

The Department of Social and Health Services processes background checks on behalf of the DEL for FFN providers receiving WCCC subsidies. The 2017-19 Operating Budget appropriated \$408,000 to the DEL to pay for background check fees for approximately 7,500 unlicensed FFNs providing WCCC services.

Other.

Effective July 1, 2018, all functions of the DEL will be integrated into the Department of Children, Youth, and Families (DCYF).

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**Summary of Bill:**

Effective July 1, 2018, all DCYF licensees, persons who are employees, and persons previously qualified by the DEL or the DCYF must submit a new background application to the DCYF on a date to be determined by the DCYF. Fee requirements apply to background clearance renewals.

Background check payment requirements do not apply to license-exempt providers receiving state subsidies who regularly provide child care in the home of the provider or in the home of a child for periods of less than 24 hours, or in some cases, longer periods as required due to the nature of the parent's work.

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**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date:** The bill takes effect on July 1, 2018.

**Staff Summary of Public Testimony:**

(In support) None.

(Opposed) None.

**Persons Testifying:** None.

**Persons Signed In To Testify But Not Testifying:** None.