



State of Utah

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January 30, 2020

Representative Karen Kwan  
Sheila Walsh, Legislative Liaison  
Utah Department of Health

Subject: HB119 – Child Care Amendments

Following is a list of reasons to support the requested changes to the Human Services statute referring to Child Care Licensing.

- The Human Services statutory language referring to individuals involved with child care is outdated. It only clearly addresses licensed facilities and also refers to health facilities instead of child care facilities. The Department of Health oversees more than licensed child care facilities. This responsibility includes oversight of several types of exempt child care facilities as well.
- Accessing the Licensing Information System is part of the Department of Health's background check process and a crucial federal requirement under the Child Care and Development Act. Individuals involved with child care at exempt facilities are required to be background checked in the same way are individuals at licensed facilities. However, the current language in the Department of Human Services statute does not clearly allow this access.
- There are child care providers who care for less than 5 unrelated children and receive food program subsidy from the USDA Child and Adult Care Food Program (CACFP) . In order for those providers to receive that subsidy, they are federally required to have the same background checks a licensed provider is required to have. Because they are exempt, the current Human Services language does not allow the Health Department access to the Licensing Information System to complete that portion of the federally required background check.
- To be in compliance with all the required pieces of the background check, exempt providers have to complete this process in two separate steps. They would have to be checked on the Licensing Information System by the Department of Human Services and under all other systems by the Department of Health.



- Two separate steps for a background check means more time before an individual can start working with children. It also means money lost by the child care industry and the possibility to lose potential employees due to the lengthy process.
- The Department of Health is already set up to conduct all pieces of the background check for licensed child care providers in one single step. Updating the Human Services statute will expedite the process for exempt providers by being one single step as well.
- Having all background checks for individuals associated with any child care facility completed by one single agency, the Department of Health, will better support families and the health and safety of their children.

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