

**MINUTES OF THE HOUSE
WORKFORCE SERVICES AND COMMUNITY
AND ECONOMIC DEVELOPMENT STANDING COMMITTEE
Room W025, West Office Building, State Capitol Complex**

January 22, 2008

MEMBERS PRESENT: Rep. Steven R. Mascaro, Chair
Rep. Julie Fisher, Vice Chair
Rep. Bradley M. Daw
Rep. Jack R. Draxler
Rep. Janice Fisher
Rep. Christopher Herrod
Rep. Brad King
Rep. Karen W. Morgan

STAFF PRESENT: Arthur L. Hunsaker, Policy Analyst
Linda Error, Committee Secretary

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

Rep. Julie Fisher called the meeting to order at 8:05 a.m.

H.B. 73 Child Care Providers (Rep. K. Morgan)

Rep. Morgan introduced the bill to the committee with the assistance of Lynette Rasmussen, Department of Workforce Services. (handout)

MOTION: Rep. Morgan moved to amend the bill as follows:

1. *Page 1, Lines 20 through 22:*

- 20 • child care providers who are not required by current law to undergo a check
21 through the Department of Health, Bureau of Child Care Licensing, and are not a
license
22 exempt child care center or program; and

2. *Page 2, Lines 39 through 41:*

- 39 ▶ allows ~~{three designated}~~ individuals ~~{-within}~~ designated
by the Department of Workforce Services and approved by the Department
of Human Services to
40 have access to the Division of Family and Child Services' Licensing Information
41 System for the purpose of checking the background of child care providers.

3. Page 3, Lines 59 through 60:

59 (b) is not required to undergo a criminal background check with the Department of
60 Health, Bureau of Child Care Licensing;

4. Page 3, Lines 76 through 82:

76 (c) The Utah Division of Criminal Investigation and Technical Services shall {
77 ~~(i) (A) process the information required under Subsection (2)(a); or~~
78 ~~(B) allow the department or its representative access to the division's data base~~
79 ~~to~~
80 ~~determine whether the individual has been convicted of a crime; and~~
81 ~~(ii) submit an individual's set of fingerprints required under Subsection (2)(a) to~~
82 ~~the~~
83 ~~U.S. Federal Bureau of Investigation for a national criminal history background~~
84 ~~check of the~~
85 ~~individual.}~~ process and conduct background checks on all individuals as
requested by the department, including submitting the fingerprints to the U.S.
Federal Bureau of Investigation for a national criminal history background check of
the individual.

(d) If the department waives the fingerprint requirement under Subsection
(2)(b), the Utah Division of Criminal Investigation and Technical Services may allow
the department or its representative access to the division's data base to determine
whether the individual has been convicted of a crime.

5. Page 3, Lines 83 through 84:

83 ~~{(d)}~~ (e) The child care provider shall pay the cost of the history
background check provided
84 under Subsection (2)(c).

6. Page 4, Lines 90 through 91:

90 (c) The department or its representative shall access juvenile court records to
determine whether an
91 individual described in Subsection (2) or (3)(a) has been adjudicated in juvenile court of

7. Page 4, Lines 114 through 116:

114 (b) In accordance with criteria established by rule, the executive director **or the**
director's designee may consider
115 and exempt individual cases ~~{-involving misdemeanors}~~ , not otherwise exempt
under Subsection
116 (5)(a), from the restrictions of Subsection (4).

8. *Page 8, Lines 243 through 244:*

243 (iii) ~~{-two}~~ persons designated by ~~{-and within}~~ the Department of
Health **and approved by the Department of Human Services** , only for the
244 following purposes:

9. *Page 9, Lines 249 through 250:*

249 (iv) ~~{-three}~~ persons designated by ~~{-and within}~~ the Department of
Workforce Services **and approved by the Department of Human Services** for
250 the purpose of qualifying child care providers under Section 35A-3-310.5; and

10. *Page 9, Lines 252 through 254:*

252 (5) The ~~{-two}~~ persons designated by the Department of Health under
Subsection
253 (4)(c)(iii) and the ~~{-three}~~ persons designated by the Department of Workforce
Services under
254 Subsection (4)(c)(iv) shall adopt measures to:

11. *Page 9, Lines 258 through 259:*

258 (6) All persons designated by statute as having access to information contained in the
259 Licensing Information System shall **be approved by the Department of Human**
Services and receive training from the department with respect to:

The motion to amend passed unanimously, with Rep. Daw, Rep. Janice Fisher, Rep. King, and Rep. Mascaro absent for the vote.

Rep. Fisher relinquished the chair to Rep. Mascaro.

MOTION: Rep. Julie Fisher moved to pass the bill out favorably as amended. The motion

