

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Clarify the Background Check Process for Certain Child Care Workers

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 22 MRSA §8302-C, sub-§1, ¶H is enacted to read:

H. A background check that complies with the provisions of Title 20-A, section 6103 is sufficient to meet the state and federal criminal background check requirements of this section.

Sec. 2. 22 MRSA §9053, sub-§7, as enacted by PL 2015, c. 299, §25, is repealed.

Sec. 3. 22 MRSA §9053, sub-§18, as enacted by PL 2015, c. 299, §25, is repealed.

Sec. 4. 22 MRSA §9053, sub-§29, as enacted by PL 2015, c. 299, §25, is amended to read:

29. Provider. "Provider" means a licensed, certified or registered entity that employs direct care workers to provide long-term care, ~~child care~~ and in-home and community-based services under this ~~chapter~~Subtitle.

Sec. 5. 22 MRSA §9054, sub-§7, ¶¶A and D, as enacted by PL 2015, c. 299, §25, are repealed.

SUMMARY

This bill removes the requirement that the Department of Health and Human Services, Background Check Center be used to screen prospective employees of child care facilities and family child care providers. Instead, this bill allows the criminal background check used for new and continuing school employees to fulfill the state and federal requirements for a mandatory criminal background check for a person who provides child care in a child care facility, a family child care provider and a person who provides day care in that person's home for one or 2 children whose care is paid for by state or federal funds.