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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 2311 Session of  
2000

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INTRODUCED BY BLAUM, THOMAS, LAUGHLIN, CORRIGAN, HERMAN, TIGUE,  
GODSHALL, TRELLO, BROWNE, COY, TRUE, ORIE, MELIO, HARHAI,  
SOLOBAY, WASHINGTON, BELFANTI, McCALL, TANGRETTI, BATTISTO,  
GEORGE, YOUNGBLOOD, MUNDY, E. Z. TAYLOR, HORSEY, FRANKEL,  
KIRKLAND, LEVDANSKY, GRUCELA, WOJNAROSKI, SCRIMENTI, RAMOS,  
SHANER AND WILLIAMS, FEBRUARY 28, 2000

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REFERRED TO COMMITTEE ON JUDICIARY, FEBRUARY 28, 2000

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AN ACT

1 Amending Title 23 (Domestic Relations) of the Pennsylvania  
2 Consolidated Statutes, further providing for information on  
3 prospective child-care personnel.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Section 6344(c)(1) and (3) and (e) of Title 23 of  
7 the Pennsylvania Consolidated Statutes are amended and  
8 subsection (d) is amended by adding a paragraph to read:

9 § 6344. Information relating to prospective child-care  
10 personnel.

11 \* \* \*

12 (c) Grounds for denying employment.--

13 (1) In no case shall an administrator hire an applicant  
14 where the department has verified that the applicant is named  
15 in the central register as the perpetrator of a founded  
16 report [of child abuse committed within the five-year period

1 immediately preceding verification pursuant to this section]  
2 or as the perpetrator of a founded report for school  
3 employee.

4 \* \* \*

5 (3) In no case shall an administrator hire an applicant  
6 if the applicant's criminal history record information  
7 indicates the applicant has been convicted of a felony  
8 offense under the act of April 14, 1972 (P.L.233, No.64),  
9 known as The Controlled Substance, Drug, Device and Cosmetic  
10 Act[, committed within the five-year period immediately  
11 preceding verification under this section].

12 (d) Prospective adoptive or foster parents.--With regard to  
13 prospective adoptive or prospective foster parents, the  
14 following shall apply:

15 \* \* \*

16 (3) In no case shall a prospective adoptive parent or  
17 prospective foster parent be approved by a foster family care  
18 agency, an adoption agency or a person designated by the  
19 court under section 2535(a) if the individual has been:

20 (i) named as a perpetrator of an indicated report,  
21 an indicated report for school employee, a founded report  
22 or a founded report for school employee; or

23 (ii) convicted of an offense listed in subsection  
24 (c) or an equivalent crime under Federal law or the law  
25 of another state.

26 (e) Self-employed family day-care providers.--

27 (1) Self-employed family day-care providers who apply  
28 for a certificate of registration with the department shall  
29 submit with their registration application:

30 (i) a report of criminal history record information

1       consistent with subsection (b) concerning the applicant;  
2       and [shall also obtain]

3           (ii) certification from the department as to whether  
4       the applicant is named in the central register as the  
5       perpetrator of a founded report [of child abuse.], a  
6       founded report for school employee, an indicated report  
7       or an indicated report for school employee.

8       (2) The department shall refuse to issue or renew a  
9       registration certificate or shall revoke a registration  
10      certificate if the family day-care home provider:

11           (i) is named in the central register as the  
12      perpetrator of an indicated report, a founded report, an  
13      indicated report for school employee or a founded report  
14      for school employee; or

15           (ii) has been convicted of an offense enumerated in  
16      subsection (c).

17      \* \* \*

18      Section 2. This act shall take effect in 60 days.