
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 653 Session of
2001

INTRODUCED BY BLAUM, DeWEESE, YOUNGBLOOD, CAPPABIANCA, WOGAN,
BELARDI, HERMAN, THOMAS, TIGUE, TRICH, LAUGHLIN, STABACK,
CORRIGAN, SHANER, COY, ORIE, SOLOBAY, GRUITZA, CAWLEY,
E. Z. TAYLOR, GEORGE, C. WILLIAMS, BELFANTI, GRUCELA, COSTA,
M. COHEN, L. I. COHEN, HESS, KENNEY, EGOLF, WOJNAROSKI,
WALKO, BUTKOVITZ, MUNDY, STURLA, DeLUCA, STEELMAN AND McCALL,
FEBRUARY 13, 2001

REFERRED TO COMMITTEE ON CHILDREN AND YOUTH, FEBRUARY 13, 2001

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.