

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2308 Session of
2004

INTRODUCED BY O'NEILL, BASTIAN, BENNINGHOFF, CAWLEY, CRAHALLA,
CREIGHTON, DAILEY, EGOLF, GOOD, GRUCELA, KELLER, KOTIK, LEH,
McCALL, R. MILLER, PETRI, REICHLEY, RUBLEY, SCAVELLO,
SOLOBAY, R. STEVENSON, TIGUE, VANCE, WATSON, WEBER AND
YUDICHAK, JANUARY 28, 2004

REFERRED TO COMMITTEE ON JUDICIARY, JANUARY 28, 2004

AN ACT

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

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

6 Section 1. Section 6344(g) of Title 23 of the Pennsylvania
7 Consolidated Statutes is amended to read:

8 § 6344. Information relating to prospective child-care
9 personnel.

10 * * *

11 (g) Regulations.--The department shall promulgate the
12 regulations necessary to carry out this section. These
13 regulations shall:

14 (1) Set forth criteria for unsuitability for employment
15 in a child-care service in relation to criminal history
16 record information which may include criminal history record
17 information in addition to that set forth above. The criteria

1 shall be reasonably related to the prevention of child abuse.

2 (1.1) Set forth criteria for suitability as prospective
3 foster or adoptive parents. The criteria shall include, but
4 not be limited to, information provided by the applicant or
5 other sources in the following areas:

6 (i) Previous addresses within the last ten years.

7 (ii) Criminal background clearance generated by the
8 process outlined in this section.

9 (iii) Child abuse clearance generated by the process
10 outlined in this section.

11 (iv) Composition of the resident family unit.

12 (v) Protection from abuse orders filed by or against
13 either parent.

14 (vi) Details of any proceedings brought in family
15 court.

16 (vii) Drug-related or alcohol-related arrests,
17 convictions or hospitalizations within the last ten
18 years.

19 (viii) Evidence of financial stability, including
20 income verification, employment history, current liens
21 and bankruptcy findings within the last ten years.

22 (ix) Number of and ages of foster children and other
23 dependents currently placed in the home.

24 (x) Previous history as a foster parent, including
25 number and types of children served.

26 (xi) Related education, training or personal
27 experience working with foster children or the child
28 welfare system.

29 (2) Set forth sanctions for administrators who willfully
30 hire applicants in violation of this section or in violation

1 of the regulations promulgated under this section.

2 (3) Provide for the confidentiality of information
3 obtained pursuant to subsection (b).

4 * * *

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