

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 489 Session of
2001

INTRODUCED BY SCHWARTZ, TARTAGLIONE, MELLOW, STACK, KASUNIC,
WOZNIAK, KITCHEN, BOSCOLA, COSTA, LOGAN, O'PAKE, LAVALLE,
KUKOVICH, EARLL, HUGHES, FUMO, BODACK AND MUSTO,
FEBRUARY 15, 2001

REFERRED TO AGING AND YOUTH, FEBRUARY 15, 2001

AN ACT

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

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

6 Section 1. Section 6344(a) and (c)(1) of Title 23 of the
7 Pennsylvania Consolidated Statutes are amended and the section
8 is amended by adding subsections to read:

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

11 (a) Applicability.--This section applies to all prospective
12 employees of child-care services, prospective foster parents,
13 prospective adoptive parents, prospective self-employed family
14 day-care providers, an individual who directly provides child-
15 care services which are subsidized by Federal or State funds who
16 is not otherwise subject to approval, registration or licensure
17 under Article IX or X of the act of June 13, 1967 (P.L.31,

No.21), known as the Public Welfare Code, and other persons seeking to provide child-care services under contract with a child-care facility or program. This section does not apply to administrative or other support personnel unless their duties will involve direct contact with children.

* * *

(c) Grounds for denying employment.--

(1) In no case shall an administrator hire an applicant where the department has verified that the applicant is named in the central register as the perpetrator of a founded report of child abuse [committed within the five-year period immediately preceding verification pursuant to this section].

* * *

(f.1) Subsidized providers.--

(1) The department shall require an individual who directly provides child-care services which are subsidized by Federal or State funds who is not otherwise subject to approval, registration or licensure under Article IX or X of the Public Welfare Code to submit the information set forth in subsection (b) for review in accordance with this section.

(2) Except as provided in subsection (n), the department shall not authorize the use of Federal or State funds for child care if the department determines that either of the following applies to the individual providing the child care:

(i) The individual is named in the central register as the perpetrator of a founded report of child abuse or a founded report for school employee.

(ii) The individual has been convicted of an offense as set forth in subsection (c).

* * *

1 (n) Use of Federal or State funds pending review.--The
2 department may authorize the use of Federal or State funds for
3 child care pending a review of the criminal and child abuse
4 history information submitted by an individual under subsection
5 (f.1)(1) if the following conditions are met:

6 (1) The individual has applied for the information
7 required under subsection (b) and the individual provides a
8 copy of the appropriate completed request forms to the
9 department.

10 (2) The individual swears or affirms in writing that the
11 individual is not disqualified from receiving Federal or
12 State funds under subsection (f.1).

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