

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7010

BILL NUMBER: HB 1778

NOTE PREPARED: Feb 22, 2007

BILL AMENDED: Feb 19, 2007

SUBJECT: Juvenile Law and Child Care.

FIRST AUTHOR: Rep. Summers

FIRST SPONSOR: Sen. Lubbers

BILL STATUS: As Passed House

FUNDS AFFECTED: GENERAL
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill applies the law concerning children in need of services to child care ministries and certain child care providers. The bill requires the Department of Child Services and the appropriate law enforcement agency to jointly investigate a report that alleges child abuse or neglect and involves a child care ministry. The bill also specifies that a child who is at least 14 years of age and does not require child care services is not counted for purposes of the limit on the number of children who may be present in a child care home. It specifies that a licensed child care provider is considered to be in compliance with the federal Child Care and Development Fund voucher program requirements if the provider is not found to be in violation of the requirements. It also requires a criminal history background check for members of a child care home provider's household. The bill requires that a child care ministry refrain from employing, or allowing to serve as volunteers, certain individuals.

Effective Date: July 1, 2007.

Explanation of State Expenditures: *Modification of Definition of Custodian:* The bill modifies current statute and adds a: (1) registered child care ministry, (2) child care provider that is eligible to receive reimbursement from the Child Care and Development Fund voucher program, and (3) child care home if the provider: (i) does not receive regular compensation; (ii) cares for children who are related to the provider; (iii) cares for less than six children, not including children for whom the provider is a parent, stepparent, guardian, custodian, or other relative; or (iv) operates to serve migrant children; to the definition of custodian for purposes of children in need of services (CHINS).

Under the bill, additional children could be identified as CHINS. Should additional children necessitate services, a family case manager, who is employed by the state, would oversee services, which would be paid

for from the county Family and Children Fund. As proposed, expenditures for both the state and county could increase. The state would experience an increase in expenditures should the state need to hire additional family case managers. The county would experience an increase should services be provided. Actual increase in expenditures would be dependent on the number of children identified as children in need of services under the bill and the type of services provided to them.

Background Information: The Department of Child Services (DCS) reports that there were 53 reports of child abuse or neglect in the entities added under the bill to the definition of custodian. The number of these reports which would subsequently be substantiated is not known.

Child Care Home Criminal History Background Check Requirement: This bill allows the Family and Social Services Administration (FSSA) to deny or revoke a child care license if a determination by DCS of child abuse or neglect by a member of the applicant's/licensee's household occurs. The FSSA reports that it currently requires child abuse or neglect background checks for members of an applicant's/licensee's household. Thus, no additional fiscal impact is anticipated.

Explanation of State Revenues:

Explanation of Local Expenditures: See *Explanation of State Expenditures*.

Explanation of Local Revenues:

State Agencies Affected: Department of Child Services; Family and Social Services Administration.

Local Agencies Affected: Counties.

Information Sources: John Ryan, DCS; Melanie Brizzi, FSSA.

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