

THE COALITION TO PROTECT MARYLAND'S CHILDREN

Our Mission: To combine and amplify the power of organizations and citizens working together to keep children safe from abuse and neglect. We strive to secure the budgetary and public policy resources to make meaningful and measurable improvements in safety, permanence, and well-being.

Testimony before the Senate Education, Energy, and Environment Committee
HB1254 – Child Care Providers – Criminal History Records Checks and Abuse and Neglect Clearances -
Requirements
March 27, 2024

Position: SUPPORT

The Coalition to Protect Maryland's Children (CPMC) is a consortium of Maryland organizations and individuals formed in 1996 to promote meaningful child welfare reform. CPMC **supports** passage of HB1254 – Child Care Providers – Criminal History Records Checks and Abuse and Neglect Clearances – Requirements.¹

HB1254 would create a unit within the Maryland State Department of Education (MSDE) to process and manage information about criminal history record checks for individuals providing childcare services. It also spells out that both criminal background checks and child abuse and neglect clearances from the Department of Human Services are valid for a five-year period. It appears that this will require repeating both background checks every five years.

The creation of a state unit for conducting background checks would streamline the pre-employment background check process that childcare staff and volunteers must complete per federal requirements and would ensure consistent interpretation of background check policies. Currently, the process is completed by individual county licensing offices who may interpret policies differently and may not share information.

A requirement for repeat criminal and child abuse and neglect clearances would improve the protection of children who attend licensed childcare. Currently, childcare centers are notified if there is a report of suspected maltreatment occurring at their facility. Notification does not occur if abuse occurs outside of the facility. Without requiring repeat clearances, it is possible that a childcare provider might physically or sexually abuse a child who does not attend the childcare center, and the individual could continue caring for children, putting these children at risk for harm.

CPMC requests clarification of language in several parts of the bill. The five-year validity of the clearance doesn't explicitly state whether the clearance will need to be repeated every five years, or whether the clearance can be made available to other employers for five years. The intent should be clarified. Additionally, the sponsors should consider including the task of gathering DHS child abuse and neglect clearances as an additional responsibility of the state background check unit. This would further streamline the background check process.

Clearer, more consistent, and updated information about criminal and CPS maltreatment determinations will protect children and reduce the likelihood of maltreatment. A dedicated unit within MSDE would streamline this process and could reduce the time needed for obtaining the background checks, potentially putting prospective employees to work more quickly.

For these reasons we recommend a favorable committee report on HB1254 – Child Care Providers – Criminal History Records Checks and Abuse and Neglect Clearances – Requirements

¹ CPMC members in support of HB1254 include Center for Hope, Citizens Review Board for Children, FCN Foundation, Franklin Law Group P.C., Maryland Chapter of the American Academy of Pediatrics, Maryland Children's Alliance, MOMCares, National Association of Social Workers – Maryland, Tim Briceland-Betts (individual), and Diana Philip (individual).