

Background checks for child care providers require a timely process

Position Statement in Opposition to House Bill 1254

Given before the Senate Committee on Education, Energy, and the Environment

Child care is critically important for Maryland’s families. It enables parents to pursue their careers knowing that their children are in good hands. As introduced, House Bill 1254 had potential to strengthen Maryland’s child care system by ensuring that child care centers had safe and appropriate staff, and providing state support to make that possible. However, as amended, House Bill 1254 increases hiring barriers for child care providers, promises little state support with background checks, and conflicts with federal law – all in service of cutting costs. **For these reasons, the Maryland Center on Economic Policy opposes House Bill 1254** as amended.

While background checks for prospective child care workers are a reasonable safety measure, House Bill 1254 as amended places no limit on how long the state can take to provide results to providers, which creates a severe hiring barrier at a time when the child care industry already faces a significant workforce shortage. Conditioning basic public services on “the availability of existing resources” at a time when the state faces multibillion-dollar deficits nearly guarantees that services will not be provided in a timely manner, in possible violation of federal regulations.ⁱ This reflects a set of upside-down priorities, undermining Maryland’s child care system rather than raising the revenue needed to support a safe and effective system.

An effective child care system ensures that parents are able to work in order to provide for the families while at the same ensuring that their children are receiving the care and learning they need at a critical time in childhood development. Widespread access to high quality child care is also essential for Maryland businesses and the health of our economy. The Office of the Comptroller’s 2024 “State of the Economy” report found that rising child care costs are one of the most significant factors preventing women from rejoining the traditional labor force and that Maryland has seen a greater decline in the number of women working or actively seeking work than the national average.ⁱⁱ Maryland’s lower labor force participation rate is making it more challenging for businesses to hire the workers they need.

For these reasons, the Maryland Center on Economic Policy respectfully requests that the Senate Committee on Education, Energy, and the Environment make an unfavorable report on House Bill 1254.

Equity Impact Analysis: House Bill 1254

Bill summary

As introduced, House Bill 1254 would have required prospective child care workers to obtain a criminal background check, and established a process for the state to provide necessary information in a timely manner.

As amended, the bill makes all related state agency responsibilities subject to the availability of existing resources.

Background

Chapter 226 of 2023 creates similar requirements for certain youth camp applicants and requires a written determination within three days, not conditional on resource availability.

Equity Implications

As amended, House Bill 1254 would worsen gender inequity in Maryland by making the state's child care system less effective. Insufficient access to child care places an especially high burden on women, who in most families still carry a greater share of child care responsibilities than men:

- 57% of working mothers with children under 12 reported difficulty handling child care as of October 2020, compared to 47% of fathers.
- Working mothers are also more likely than working fathers (including remote and in-person workers) to report cutting their work hours, having their dedication to work questioned, or even missing out on a promotion because of child care responsibilities.

Impact

House Bill 44 would likely **worsen gender inequity** in Maryland.

ⁱ <https://www.govinfo.gov/content/pkg/CFR-2023-title45-vol1/pdf/CFR-2023-title45-vol1-sec98-43.pdf>

ⁱⁱ "State of the Economy," Office of the Comptroller, 2023 <https://www.marylandtaxes.gov/reports/static-files/SOTE.pdf>