



**Caring For Maryland's Most  
Important Natural Resource™**

## Maryland State Child Care Association

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*The Maryland State Child Care Association (MSCCA) is a non-profit, statewide, professional association incorporated in 1984 to promote the growth and development of child care and learning centers in Maryland. MSCCA has over 5500 members working in the field of child care/early childhood education. We believe children are our most important natural resource and work hard to advocate for children, families and for professionalism within the early childhood community.*

### **Testimony: HB 281: Family Law-Child Care Providers-Criminal Background Investigations Submitted to: Judiciary Committee Feb 5, 2026**

The Maryland State Child Care Association (MSCCA) represents child care providers across Maryland family child care homes, child care centers, and early childhood educators — who are committed to providing safe, high-quality care for Maryland's children and families.

MSCCA *supports* the intent behind **House Bill 281** to strengthen safety by clarifying and expanding criminal history records checks for individuals who care for or supervise children in regulated child care settings.

Ensuring that all individuals who work with children have cleared thorough state and national background checks is critical to protecting children and giving families confidence in child care programs.

**However, MSCCA has concerns that aspects of HB281 could have significant unintended consequences for child care providers, including increased costs and longer delays in approving and onboarding substitutes/staff.** These challenges would be especially acute given the current child care workforce shortage and the already lengthy process for obtaining criminal history results.

MSCCA is not sure how HB 281 differs from current COMAR regulation for Family Child Care specifically. According to COMAR 13A.15.06.03, Maryland family child care providers must have an approved substitute, aged 18+, who is familiar with regulations, passes background checks, and is trained in emergency plans and child health/safety. Substitutes are required to maintain staff/child ratios, and providers must notify parents of their use.

MSCCA agrees that safety is paramount and that providers must comply with criminal background checks and related federal/state requirements. Providers already perform several layers of clearances (FBI checks, state criminal history, sex offender registry and child abuse/neglect checks) before a hire is made, which are submitted to the Maryland State Department of Education (MSDE) and licensing authorities. These processes are designed to protect children and are required by current law.

At the same time, complex and duplicative requirements risk **slowing down approval, onboarding, substitute/staff** — particularly when national checks take additional weeks or months. Delays in getting staff cleared can leave classrooms short-staffed, limit enrollment, and reduce access to care for families who depend on these services. We urge the Committee to ensure the bill does not unduly extend processing times that already impact hiring and program operations.

If HB281 mandates additional fingerprinting, higher fees, or multiple checks through different agencies, providers could see **higher administrative and out-of-pocket costs**. Child care providers operate on thin margins; added regulatory costs frequently translate into higher fees for families or financial strain on programs. Without offsetting support or funding assistance for providers, these costs may ultimately reduce access to child care — particularly in underserved communities.

Our statewide child care workforce is already under strain, with many providers struggling to recruit and retain qualified staff. Extended background check timelines and higher costs make it harder to attract educators to the field. Providers may be forced to operate with reduced staff or close classrooms temporarily, impacting families' ability to secure reliable care.

MSCCA supports policies that enhance child safety and strengthen Maryland's early childhood system. We support HB281's underlying intent, however ask the Committee to consider unintended effects that could cause undue burden on providers. By doing so, we can protect children **without exacerbating workforce shortages or driving up costs** that ultimately impact families' access to quality care.