



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-0305/P1
EHS:kjf:rs

DOA:.....Major, BB0056 – Annual background information disclosure form requirement

FOR 2015-2017 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

Under current law, DCF, a county, or an agency contracted with to certify child care providers must require any person applying for issuance, continuation, or renewal of a child care provider license, certificate, or contract to complete a background information form. This bill requires DCF, a county, or a contracted agency to require a person applying for issuance of a child care provider license, certificate, or contract to complete a background information form, but exempts these persons from completing such a form when applying to continue or renew a license, certification, or contract.

Under current law, every four years an entity that provides care for children must require all of its caregivers and nonclient residents to complete a background information form provided by DCF, except that a child care provider must require the form to be completed every year. This bill changes this exception by exempting child care providers from the four-year requirement and instead obligating them to require any new caregiver or nonclient resident to complete the form.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 48.685 (6) (a) of the statutes is amended to read:

48.685 (6) (a) The Except as provided in this paragraph, the department shall require any person who applies for issuance, continuation, or renewal of a license to operate an entity, the department in a county having a population of 500,000 or more, a county department, or an agency contracted with under s. 48.651 (2) shall require any child care provider who applies for initial certification under s. 48.651 or for renewal of that certification, a county department or a child welfare agency shall require any person who applies for issuance or renewal of a license to operate a foster home under s. 48.62, and the department in a county having a population of 750,000 or more or a county department shall require any person who applies for subsidized guardianship payments under s. 48.623 (6), and a school board shall require any person who proposes to contract with the school board under s. 120.13 (14) or to renew a contract under that subsection, to complete a background information form that is provided by the department. The department shall require any person who applies for issuance, but not continuation, of a license to operate a child care center under s. 48.65, a school board shall require any person who proposes to contract, but not renew a contract, with the school board under s. 120.13 (14), and the department in a county having a population of 750,000 or more, a county department, or an agency contracted with under s. 48.651 (2) shall require any child care provider who applies for initial certification, but not renewal of that certification, under s. 48.651 to complete a background information form that is provided by the department.

SECTION 2. 48.685 (6) (am) of the statutes is amended to read:

48.685 (6) (am) Except as provided in this paragraph, every 4 years an entity shall require all of its caregivers and all nonclient residents of the entity or of a caregiver specified in sub. (1) (ag) 1. am. of the entity to complete a background

information form that is provided to the entity by the department. ~~Every year a~~ A child care center that is licensed under s. 48.65 or established or contracted for under s. 120.13 (14) or a child care provider that is certified under s. 48.651 is exempt from the 4-year requirement, but shall require all of its caregivers and any new caregiver or nonclient residents resident to complete a background information form that is provided to the child care center or child care provider by the department.

SECTION 3. 120.13 (14) (a) of the statutes is amended to read:

120.13 (14) (a) Establish and provide or contract for the provision of child care programs for children. The school board may receive federal or state funds for this purpose. The school board may charge a fee for all or part of the cost of the service for participation in a child care program established under this subsection. Costs associated with a child care program under this subsection may not be included in shared costs under s. 121.07 (6). Child care programs established under this subsection shall meet the standards for licensed child care centers established by the department of children and families. If a school board proposes to contract for ~~or renew a contract for~~ the provision of a child care program under this subsection or if on July 1, 1996, a school board is a party to a contract for the provision of a child care program under this subsection, the school board shall refer the ~~contractor or~~ proposed contractor to the department of children and families for the criminal history and child abuse record search required under s. 48.685. Each school board shall provide the department of health services with information about each person who is denied a contract for a reason specified in s. 48.685 (4m) (a) 1. to 5.

(END)