

Approved 2-14-85
Date sh

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

The meeting was called to order by Marvin L. Littlejohn at
Chairperson

1:30 A/M/P.M. on February 12, 1985 in room 423-S of the Capitol.

All members were present except:

Committee staff present:

Emalene Correll, Research
Bill Wolff, Research
Norman Furse, Revisor
Sue Hill, Secy. to Committee

Conferees appearing before the committee:

Dr. Robert Harder, Social Rehabilitation Services
Barbara Sabol, Secy. Dept. of Health and Environment
Dr. Charles Hamm, Legal Counsel for Dept. of Health and Environment
Mr. Thomas Kelly, Director of Kansas Bureau of Investigation
Brenda Hoyt, Office of Ks. Attorney General
Judy Culley, The Shelter, Inc. of Lawrence, Ks.
Bruce Linhos, Villages, Topeka, Ks.
Elizabeth Taylor, Ks. Association for the Education of young children

Visitor's register, (see Attachment No. 1.)

Chairman called meeting to order and called attention to fiscal note on HB 2078 urging members to review this hand-out. (See Attachment No. 2.) for details.

Chair recognized Dr. Harder, Secy. of SRS. He spoke to HB 2079, saying the Attorney General's office has ruled that case records kept of recipients of aid to families with dependent children should be closed records, and HB 2079 would speak to having this "list" now become closed records, or a closed "list". There were no questions. (See Attachment No. 3), for details of Dr. Harder's hand-out.

Chair stated the hearings closed on HB 2079.

HB 2145

Chair recognized Secy. Sabol of Health and Environment as conferee speaking to HB 2145. She presented testimony and a balloon for the bill, see (Attachments 4, 4-A) for details. She stated support for HB 2145, saying it had been introduced on the joint request of H. & E., and SRS. This bill would establish standards prohibiting certain persons from residing in, working in, or volunteering in a licensed child care facility. She spoke to amendment proposed, specifically to language changes, recommending that committee amend section 1 (a), (3), to read, "has had a child declared in a court order in this or any other state to be deprived or a child in need of care based on an allegation of physical, mental, or emotional abuse or neglect or sexual abuse." Further, the amendment suggested in Sec. 1 (a), (4) is redundant and recommended that it be deleted entirely. She then answered questions from committee i.e., yes, we are trying to define the language, so that a child will be protected from abuse, or potential abuse; yes, this would also include private child care homes, foster homes, etc., yes, we do emergency review when there are questions regarding child care; yes, we are trying to speak to the issue if a person had been convicted of a felony bad check charge, or a bad credit card situation for example, 20 years earlier, it would not exclude them now from working in these child care facilities, and their record could be expunged. There was more discussion along these lines for expungement.

Mr. Thomas Kelly, Kansas Bureau of Investigation spoke to HB 2145, and gave printed testimony to committee, see (Attachment No. 5.), for details. He said their department supports this bill, but has many questions in several areas, and they are very concerned that the fiscal impact would be a big problem, and the identification check will not be positive if it is by name only. He said it is impossible for them to check

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE,
room 423-S, Statehouse, at 1:30 4/11 p.m. on February 12, 1985.

out of state records without submitting finger print cards to F.B.I.'s identification section. He spoke to additional costs to his department, and answered questions in regard to expungement; name only identification; etc. Cases where records are expunged he said, records are not discarded, they are merely sealed and not disclosed. When asked if his department could charge fees to offset some of their costs, he replied there were no reasons why fee charges couldn't be set up, but that it would need official approval.

Ms. Sabol had some comments in regard to Mr. Kelly's testimony, i.e., the inquiries on persons in the system would decrease after the first year of investigations is completed, and then it would continue to be fewer investigations except for new people coming into employment in these child care facilities.

Brenda Hoyt of the Attorney General's office stated that it is important to remember that once this duty is imposed, (checking identification of those convicted of felons), it must then be done, and the liability is on the state if there is a breach of that duty.

Judy Culley, Ks. Association of Licensed Private Child Care Agencies spoke to HB 2145, and had hand-out, (see Attachment No. 6.), as printed testimony. She spoke to support of HB 2145, saying it is extremely important that quality care for children be provided, and this bill speaks to that issue. She proposed amendments to the bill, i.e., removal of language, "a felony conviction or has", so that persons only who had committed crimes against persons would be denied employment at child care facilities; a waiver process set up by SRS for unusual cases pertaining to subsections (2),(3),(4), and (5); and liability immunity for agencies acting in good faith in compliance with this law. She then answered questions from committee.

Mr. Bruce Linhos, Social Director of Villages, spoke to HB 2145, agreeing with the amendment Mrs. Culley presented and also saying they feel children need protection from potential harm, further, feels that Health and Environment might need to review "exceptional cases", where a child had been taken from the home because of special care needs, or a child removed because said child was the offender, etc.

Elizabeth Taylor, Kansas Association for the Education of young children spoke in support of HB 2145, but offered suggestions for language change, i.e., the definition of "regularly" on line 25 is unclear and would concern some volunteers who help in child care homes, and so suggested that word be stricken; also strike "felony", in line 26; lines 39 through 47 are a problem in regard to a child being removed from the home. In some cases it is because the child is hard to handle, and is a foster child as in a specific case she cited, and it then is the foster mother of that child who would be denied work in a child care facility, if language in bill does not speak to this problem. Further, she said if Health and Environment were to give special discretion to some of these special cases, it would take care of some concerns.

Hearings closed on HB 2145.

Chair reviewed with committee HB 2082, previously heard, and Rep. Branson moved to accept the proposed amendment on HB 2082, seconded by Rep. Runnels, motion carried.

Rep. Branson then moved to report HB 2082 out of committee favorably as amended, seconded by Rep. Pottorff, motion carried.

Meeting adjourned at 2:35 p.m.

Date: 2-12-85

GUEST REGISTER

HOUSE

PUBLIC HEALTH AND WELFARE

NAME	ORGANIZATION	ADDRESS
Thomas E. Kelly	KBI	Topeka
James R. Green	KBI	Topeka
KEITH R. LANDIS	CHRISTIAN SCIENCE COMMITTEE ON PUBLICATION FOR KANSAS	"
WALT DARLING	DIV. OF BUDGET	TOPEKA
PAT SCHAFFER	DIVISION OF BUDGET	TOPEKA
Brenda Hoyt	A6	Topeka
Ruth Wilber	Gil School	"

Attn #1
2-12-85

Fiscal Note
1985 Session
February 11, 1985

Bill No.

The Honorable Marvin Littlejohn, Chairperson
Committee on Public Health and Welfare
House of Representatives
Third Floor, Statehouse

(125-5)

Dear Representative Littlejohn:

SUBJECT: Fiscal Note for House Bill No. 2078 by Committee
on Public Health and Welfare

In accordance with K.S.A. 75-3715a, the following fiscal note concerning House Bill No. 2078 is respectfully submitted to your committee.

House Bill No. 2078 amends K.S.A. 1984 Supp. 39-702 to authorize the Department of Social and Rehabilitation Services to restrict general assistance program benefits to persons unable to engage in employment. The effect of this amendment is to eliminate the current general assistance program referred to as transitional general assistance. The Division of the Budget estimates that continuation of the program in FY 1986 would have required State General Fund expenditures of \$8,519,271.

The FY 1986 Governor's Budget Report recommends elimination of the transitional general assistance program for FY 1986. However, the Governor's recommendation does include \$3,031,954 in state general funds to expand the coverage of the general assistance unrestricted program to include approximately 25% of the persons estimated to be eligible for transitional general assistance in FY 1986. Passage of House Bill No. 2078 will require no adjustments to the FY 1986 Governor's Budget Report.

However, if the transitional general assistance program was to be continued additional expenditures of \$5,487,317 in State General Fund appropriations would need to be added to the Governor's budget recommendations for FY 1986.

Alden K. Shields
Alden K. Shields
Director of the Budget

AKS:REK:sr

Attn. #2
2-12-85

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STATEMENT REGARDING H.B. 2079

Title

AN ACT concerning social welfare; relating to the case records of recipients receiving aid to families with dependent children; amending K.S.A. 39-709b and repealing the existing section.

Purpose

The portion of K.S.A. 39-709b(c) which authorizes SRS to make open to public inspection lists of Aid to Dependent Children (ADC) recipients has been declared by the Kansas Attorney General to conflict with federal statutory and regulatory provisions, and therefore, in violation of the Federal Social Security Act and should be revoked.

Background

K.S.A. 1978 Supp. 39-709b, subsection (c) provides, in part, that the Secretary shall maintain a public list which shall contain the names and addresses of all recipients receiving Aid to Dependent Children including the payment issued to each during the preceding month. The subsection further provides that the Secretary shall prepare and retain monthly copies of the public list and that portions of such list shall be available in all SRS offices and the offices of county clerks and shall be open to public inspection.

The Kansas Attorney General in Opinion 79-130 ruled that the provisions of subsection (c) of K.S.A. 1978 Supp. 39-709b, which declares the public list of Aid to Dependent Children (ADC) recipients to be public records, conflicts with federal statutory and regulatory provisions requiring restrictions as to the disclosure of information concerning Aid to Dependent Children (ADC) recipients, and are therefore in violation of the federal Social Security Act. Several federal courts have held likewise in reviewing similar language in other state's laws, specifically the federal District Court decision, Michigan Welfare Rights Organization vs. Dempsey, 462 F. Supp. 227 (1978).

The Kansas Attorney General's opinion further states that when a conflict exists between federal and state statutory provisions and where a state participates in a program funded by the federal government, it must comply with the applicable federal statutes, and any conflicting state statutes or regulations are declared invalid.

SRS is currently following the opinion of the attorney general and not making open to public inspection public list of Aid for Dependent Children (ADC) recipients. The Department's position creates some confusion and consternation with law enforcement officials, attorneys, and judges.

Alternatives which can be considered include:

1. Delete from K.S.A. 39-709b(c) the authorization for releasing for public inspection public list of Aid for Dependent Children (ADC) recipients; as proposed; or
2. Maintain the status quo.

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Effect of Passage

Passage of this legislation will revise the Kansas statutes to comply with Federal law and regulation to maintain the confidentiality of individuals receiving Aid for Dependent Children (ADC). It will, however, have no substantial effect on the state's current policies and procedures regarding the publication of lists of Aid to Dependent Children (ADC) recipients since the Department of Social and Rehabilitation Services is presently holding this information confidential as required by federal law based on an opinion issued by the Kansas Attorney General. Adoption of this legislation will maintain the currency of the Kansas statutes and eliminate confusion for persons dealing with this issue.

SRS Recommendation

Amend K.S.A. 39-709b(c) to delete authorization for maintaining a public list of Aid for Dependent Children (ADC) recipients and for making such list open to public inspection.

Fiscal Impact

None

Robert C. Harder
Office of the Secretary
Social and Rehabilitation Services
296-3271

February 12, 1985

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KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT

TESTIMONY ON HOUSE BILL 2145

PRESENTED TO THE HOUSE COMMITTEE ON PUBLIC HEALTH AND WELFARE

FEBRUARY 12, 1985

This is the official position taken by the Kansas Department of Health and Environment on House Bill 2145.

BACKGROUND INFORMATION:

House Bill 2145 was introduced by this committee on the joint request of the Department of Social and Rehabilitation Services and the Department of Health and Environment. The bill amends KSA 65-516 as that statute was amended by House Bill 2695 in the 1984 legislative session. House Bill 2695 established standards prohibiting certain persons from residing in, working in, or volunteering in a licensed child care facility.

With the experience that we have gained since last year, it appears that several of the standards in House Bill 2695 were overly broad and can be narrowed without adverse affect to our goal, the prevention of child abuse and mistreatment in licensed facilities.

PROPOSED AMENDMENTS IN HOUSE BILL 2145:

Section 1(a) is amended to add the word "regularly" before "volunteers."

Section 1(a)(1) continues to refer to all felony convictions and is amended to include reference to misdemeanor convictions having to do with using or promoting obscenities with children.

Section 1(a)(2) continues the prohibition of persons who have committed abuse. This section is separated out from Section 1(a)(1).

Section 1(a)(3) is amended to clarify that a finding that a person has had a child declared to be deprived or a child in need of care must be made by court order following a hearing or a stipulation.

Section 1(a)(4) is amended to prohibit persons who have had parental rights terminated pursuant to the Kansas Juvenile Code rather than the previous language that referred to persons who have had a child removed from the home pursuant to the Kansas Juvenile Code.

Section 1(a)(5) relating to a person who has been found to be unfit to have custody of a minor child pursuant to KSA 60-1610 (divorce and maintenance) has been deleted. This issue is now addressed by the standard in Section 1(a)(3).

Section 1(a)(6) has been amended to define an infectious or contagious disease pursuant to KSA 65-128.

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Section 1(b) is amended to give the Secretary of Health and Environment direct access to juvenile court records concerning persons who are the subjects of the statute.

ISSUES:

Some people believe that the prohibition of any person with a felony conviction is overly broad. It should be noted that convicted felons may apply to the courts to have their convictions expunged pursuant to KSA 1984 Supp. 21-4619. The statute sets forth time frames and other factors for the court to consider. We believe that the process of expungement does provide a means to appropriately temper the standard relating to felony convictions and keeps that discretion in the court where the individual was convicted.

After further study of the prohibition in Section 1(a)(3) of persons who have had a child declared deprived or in need of care, the Department of Health and Environment and the Department of Social and Rehabilitation Services have agreed to recommend a further amendment that we believe will appropriately narrow that standard. We recommend that the committee amend this section to read:

has had a child declared in a court order in this or any other state to be deprived or a child in need of care based on an allegation of physical, mental, or emotional abuse or neglect or sexual abuse;

The terms "physical, mental, or emotional abuse or neglect" and "sexual abuse" are defined in KSA 1984 Supp. 38-1502 and the new language suggested in lines 40 through 43 is unnecessary.

The amendment suggested in Section 1(a)(4) is redundant since a child would have to be declared deprived or a child in need of care before parental rights are terminated. We recommend that Section 1(a)(4) be deleted entirely.

DEPARTMENT'S POSITION:

The Department of Health and Environment recommends that the committee amend House Bill 2145 as suggested and report the bill favorably for passage. We believe that the screening process established by the new standards will prove to be an effective tool in preventing child abuse in licensed settings.

Presented by: Barbara J. Sabol, Secretary
Kansas Department of Health
and Environment

HOUSE BILL No. 2145

By Committee on Public Health and Welfare

2-1

0017 AN ACT prohibiting the maintaining of certain homes for chil-
0018 dren by certain persons; amending K.S.A. 1984 Supp. 65-516
0019 and repealing the existing section.

0020 *Be it enacted by the Legislature of the State of Kansas:*

0021 Section 1. K.S.A. 1984 Supp. 65-516 is hereby amended to
0022 read as follows: 65-516. (a) No person shall maintain a boarding
0023 home for children or maintain a family day care home if, in such
0024 boarding home or family day care home, there resides, works or
0025 regularly volunteers any person who:

0026 (1) Has a felony conviction or has a conviction of any act
0027 which is described in articles 34, 35 or 36 of chapter 21 of the
0028 Kansas Statutes Annotated or has committed an act of physical,
0029 mental or emotional abuse or neglect or sexual abuse as vali-
0030 dated by the department of social and rehabilitation services
0031 pursuant to K.S.A. 1983 Supp. 38-1523 and amendments thereto
0032 has been convicted of any act which is described in K.S.A.
0033 21-4301 or 21-4301a and amendments thereto or similar statutes
0034 of other states or the federal government;

0035 (2) Has committed an act of physical, mental or emotional
0036 abuse or neglect or sexual abuse as validated by the department
0037 of social and rehabilitation services pursuant to K.S.A. 1984
0038 Supp. 38-1523 and amendments thereto;

0039 (2) (3) has had a child declared in a court order to be de-
0040 prived or a child in need of care, following a hearing pursuant to
0041 K.S.A. 1984 Supp. 38-1581 and amendments thereto or a stipu-
0042 lation entered pursuant to K.S.A. 1984 Supp. 38-1553 and
0043 amendments thereto;

0044 (3) (1) has had a child removed from the home parental
0045 rights terminated pursuant to the Kansas juvenile code or the

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(2) (3) has had a child declared in a court order in this or any other state to be deprived or a child in need of care, based on an allegation of physical, mental, or emotional abuse or neglect or sexual abuse following a hearing pursuant to K.S.A. 1984 Supp. 38-1581 and amendments thereto or a stipulation entered pursuant to K.S.A. 1984 Supp. 38-1553 and amendments thereto;

(3) (4) has had a child removed from the home parental rights terminated pursuant to the Kansas juvenile code or the

0046 Kansas code for care of children or a similar statute of other
0047 states;

Kansas-code-for-care-of-children-or-a-similar-statute-of-other
states;

0048 (4) (5) has signed a diversion agreement pursuant to K.S.A.
0049 22-2906 *et seq.*, and amendments thereto, or pursuant to K.S.A.
0050 1983 1984 Supp. 38-1635 and amendments thereto involving a
0051 charge of child abuse or a sexual offense; or

(4) (4)

0052 (5) has been found to be unfit to have custody of a minor
0053 child pursuant to K.S.A. 60-1610 and amendments thereto; or
0054 (6) has an infectious or contagious disease, as defined by the
0055 secretary of health and environment pursuant to K.S.A. 65-128
0056 and amendments thereto.

(6) (5)

0057 (b) No person shall maintain a boarding home for children or
0058 maintain a family day care home if such person has been found to
0059 be a disabled person in need of a guardian or conservator, or
0060 both.

0061 (c) Any person who resides in the home and who has been
0062 found to be a disabled person in need of a guardian or conserva-
0063 tor, or both, shall be counted in the total number of children
0064 allowed in care.

0065 (d) The secretary shall have access to any court orders or
0066 adjudications of any court of record or any records of such orders
0067 or adjudications and any report of investigations as authorized by
0068 subsection (e) of K.S.A. 1983 1984 Supp. 38-1523 and amend-
0069 ments thereto in the possession of the department of social and
0070 rehabilitation services or court of this state concerning persons
0071 working, regularly volunteering or residing in a boarding home
0072 for children or a family day care home in order to determine
0073 whether or not the home meets the requirements of K.S.A.
0074 65-516 and 65-519 and amendments thereto.

0075 Sec. 2. K.S.A. 1984 Supp. 65-516 is hereby repealed.

0076 Sec. 3. This act shall take effect and be in force from and
0077 after its publication in the statute book.



THOMAS E. KELLY
DIRECTOR

KANSAS BUREAU OF INVESTIGATION

DIVISION OF THE OFFICE OF ATTORNEY GENERAL
STATE OF KANSAS
1620 TYLER
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ROBERT T. STEPHAN
ATTORNEY GENERAL

Attn. #5

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TESTIMONY OF

THOMAS E. KELLY, DIRECTOR
KANSAS BUREAU OF INVESTIGATION

before

THE HOUSE COMMITTEE
ON
PUBLIC HEALTH AND WELFARE

House Bill 2145

February 11, 1985

*Attn. #5
2-12-5*

Testimony of Director Kelly, HB 2145, February 11, 1985

The Bureau is in complete agreement with the state's concerns about the proper certification of day care centers and the quality of the people that come into contact with the children in these centers. However, we are deeply concerned about our ability to properly support the requirements of the day care center certification process. Even without the changes to the statute proposed by HB 2145, we are not able to keep up with the record checks already being received with the current level of staffing.

Three primary questions arise:

- 1) Is it necessary for the Central Repository (KBI) to check the criminal record at all, i.e. by name only (current statutes implies yes);
- 2) Is it necessary to check for out of state convictions (current statute implies yes, HB 2145 explicitly requires); and
- 3) Is a positive identification (fingerprint card) of the applicant necessary (legislative intent is not clear to the Bureau)

Currently, the Bureau's Records/Identification Section (State Central Repository) has 7 fingerprint identification technicians, each processing approximately 4700 fingerprint cards per year (up 14% in FY85), and 4 records clerks, each processing an average of 20,000 "name only" record checks per year (up 25% in FY85). There is approximately a two month backlog in the section, but this is due more to personnel turnover, the move to the new building, and the space problems at the old building than understaffing. The best estimates of the number of applicants to be processed is 30,000 per year.

Simple arithmetic shows a need for two more record clerks (Clerk III's, total of \$24,000) to do even the simple name checks. This is a minimum requirement, even under the current statute! Without these two positions, the demands of law enforcement and the other criminal justice agencies will prevent us from doing more than a small percentage of the 30,000 checks required to certify the 7,500 licensed day care centers in the state.

If out of state records are to be checked, we would need to submit fingerprint cards to the FBI's identification section. To do this, in addition to the two record clerks, we would need seven more identification technicians (\$102,500), one night supervisor (\$16,800), additional memory for our computer (\$15,000) and approximately \$24,000 in supplies, postage, files, etc. The FBI requires a \$12 payment for each card submitted, and

if this cost is not borne by the applicant or the day care center, another \$360,000 would be required.

Whether the fingerprint cards are sent on to the FBI or not, the cost would be approximately the same, with the exception of the \$12 per card FBI fee. The Bureau strongly recommends the use of fingerprint cards for positive identification. Circumventing a "name check" is extremely easy, and without a fingerprint card on file, constant rechecking will be necessary to detect any new offenses.

One offset to the costs of sending cards to the FBI is that if we implement a "centralized billing" rather than submitting a check with each card, the FBI will let us retain one dollar of each fee. This will require the addition of an Account Clerk II (\$13,500) in our business office, but would still contribute about \$16,500 towards the other costs.

It should be pointed out that all of the issues mentioned here are also of concern for any state licensing or certification function that restricts applicants who have a criminal record.

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KALPCCA

KANSAS ASSOCIATION OF LICENSED PRIVATE CHILD CARE AGENCIES

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POLITICAL ACTION
Judy Culley
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MEMBERSHIP
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(913) 371-3264

TO: House Public Health and Welfare Committee
FROM: Kansas Association of Licensed Private Child Care Agencies (KALPCCA)
DATE: February 12, 1985
RE: HB 2145

The Kansas Association of Licensed Private Child Care Agencies (KALPCCA) is an association representing 35 private providers of residential child care in Kansas, therefore representing 800 beds for children in the custody of this state.

KALPCCA is in support of H.B. 2145. It is extremely important to us that we provide quality care for children, and we see this bill, as well as K.S.A. 65-516, passed last year, as an effort made by the legislature to help us provide that care.

In the process of refining this law, we propose the attached amendment. It contains 3 basic elements, as follows:

1. Removal of "a felony conviction or has" in subsection (1) so that the felonies which preclude employment would include only crimes against a person and most especially those against children.
2. A waiver process set up by SRS for unusual cases pertaining to subsections (2), (3), (4), and (5).
3. An immunity from liability for agencies acting in good faith in compliance with this law.

Our rationale for these elements is as follows:

1. It is our opinion that certain felonies should automatically preclude anyone from working with children, those being described in the articles listed in the bill. We think, however, that felonies which do not involve crimes against a person would not necessarily affect an employee's ability to work effectively with children. Because the Attorney General has indicated that

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expungement is not an option for this law, we think that the applicable felonies should be reduced. A person who has written a bad check, or misused a credit card at any point in his/her life, for example, is currently automatically precluded from working in a residential facility in any capacity, including cook, janitor, etc.

2. We think that in the areas covered by subsections (2), (3), (4), and (5), there are a number of potentially exceptional situations that cannot be described adequately without extensive, extremely complicated legislation. For example, if a woman has had a child declared as Child in Need of Care (CINC) due to abuse by a father that she subsequently divorced for the child's protection, her case is very different from a woman who has had a child declared a CINC due to abuse that she has committed herself. There is also some logic in a severely retarded child going into custody as a CINC. We believe that, because there is no satisfactory way to provide for such different unusual circumstances, the Secretary of Social and Rehabilitation Services should be given discretion in those circumstances.
3. We are aware that there is a potential for a lawsuit against an agency who denies employment based on this law, as there is currently such a suit filed against Argentine Youth Services, one of our member agencies. We think that we should be immune from liability when we act in good faith in an attempt to comply with the law.

We, again, appreciate the efforts of the legislature to help us provide quality care for children, as we appreciate the efforts being made to adequately refine the law for the benefit of all concerned.

PROPOSED AMENDMENT to HB-2145

In line 22 after "person", by inserting "except as waived under the procedures provided for in subsection (7),"

In line 26 by striking "a felony conviction or has"

In line 57 by creating a new subsection to read as follows:

"(7) The secretary of Social and Rehabilitation Services shall establish a procedure whereby an individual may be granted an exception and waiver from subsection (2), (3), (4) and (5) upon the showing of extenuating circumstances with any such exception and waiver being forwarded to the secretary of Health and Environment."

In line 75 by creating a new subsection to read as follows:

"(e) No boarding home for children or family day care center on their employees shall be liable when acting in good faith to comply with this section."