

SB2552



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB2552

Introduced 2/15/2008, by Sen. Matt Murphy

SYNOPSIS AS INTRODUCED:

305 ILCS 5/9A-11.5

Amends the Illinois Public Aid Code. Provides that as a condition of eligibility to participate in the child care assistance program, a child care provider must authorize in writing an investigation to determine whether the child care provider has ever been charged with a crime and, if so, the disposition of those charges. Provides for confidentiality of information received by the Department of Human Services. Eliminates a provision that the Department of Human Services shall request the Department of Children and Family Services to conduct periodic investigations of the Central Register maintained under the Abused and Neglected Child Reporting Act. Effective immediately.

LRB095 19700 DRJ 46060 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning public aid.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Public Aid Code is amended by
5 changing Section 9A-11.5 as follows:

6 (305 ILCS 5/9A-11.5)

7 Sec. 9A-11.5. Investigate child care providers. Any child
8 care provider receiving funds from the child care assistance
9 program under this Code who is not required to be licensed
10 under the Child Care Act of 1969 shall, as a condition of
11 eligibility to participate in the child care assistance program
12 under this Code, do the following:

13 (1) Authorize ~~authorize~~ in writing on a form prescribed
14 by the Department of Children and Family Services, periodic
15 investigations of the Central Register, as defined in the
16 Abused and Neglected Child Reporting Act, to ascertain if
17 the child care provider has been determined to be a
18 perpetrator in an indicated report of child abuse or
19 neglect. The Department of Children and Family Services
20 shall conduct an investigation of the Central Register at
21 the request of the Department. ~~The Department shall request~~
22 ~~the Department of Children and Family Services to conduct~~
23 ~~periodic investigations of the Central Register.~~

1 (2) Authorize in writing an investigation to determine
2 if the child care provider has ever been charged with a
3 crime and, if so, the disposition of those charges. Upon
4 this authorization, the Department shall request and
5 receive information and assistance from any federal,
6 State, or local governmental agency as part of the
7 authorized investigation. The Department of State Police
8 shall provide information concerning any criminal charges,
9 and their disposition, whether filed before or on or after
10 the effective date of this amendatory Act of the 95th
11 General Assembly, against a child care provider upon the
12 request of the Department when the request is made in the
13 form and manner required by the Department of State Police.
14 Any information concerning criminal charges and the
15 disposition of those charges obtained by the Department is
16 confidential and may not be transmitted (i) outside the
17 Department except as required in this Section or (ii) to
18 anyone within the Department except as needed for the
19 purposes of determining participation in the child care
20 assistance program.

21 The Department shall by rule determine when payment to an
22 unlicensed child care provider may be withheld if there is an
23 indicated finding against the provider based on the results of
24 the Central Register search and the criminal background
25 information obtained by the Department ~~in the Central Register.~~

26 (Source: P.A. 92-825, eff. 8-21-02.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.