

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 717

By: Griffin

6 AS INTRODUCED

7 An Act relating to the Department of Human Services;
8 amending 10 O.S. 2011, Section 405.3, as last amended
9 by Section 1, Chapter 158, O.S.L. 2015 (10 O.S. Supp.
10 2016, Section 405.3), which relates to the Online
11 Child Care Restricted Registry; broadening scope of
12 certain registry; clarifying language; and providing
13 an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 10 O.S. 2011, Section 405.3, as
15 last amended by Section 1, Chapter 158, O.S.L. 2015 (10 O.S. Supp.
16 2016, Section 405.3), is amended to read as follows:

17 Section 405.3. A. On or before July 1, 2010, the Department of
18 Human Services shall promulgate rules to establish and maintain the
19 Child Care Restricted Registry, accessible to the public through an
20 online database, to address:

21 1. A procedure for recording individuals on the restricted
22 registry resulting from:

23 a. a substantiated finding of abuse or neglect, as
24 defined in Section 1-1-105 of Title 10A of the

1 Oklahoma Statutes, ~~by an individual when the abuse or~~
2 ~~neglect occurred to children while in the care of a~~
3 ~~child care facility licensed by the Department or by~~
4 ~~an adult in a family child care home when the adult's~~
5 ~~presence is incidental to the operation of the family~~
6 ~~child care home,~~

7 b. a revocation or denial of a child care facility
8 license, and

9 c. a specified criminal history of an individual, as
10 defined by rules promulgated by the Department,

11 d. a substantiated finding of abuse or neglect by an
12 individual included in the nontechnical services
13 workers abuse registry as provided by Section 1-1950.7
14 of Title 63 of the Oklahoma Statutes, and

15 e. a revocation of an Oklahoma teaching certificate
16 issued pursuant to Section 6-190 of Title 70 of the
17 Oklahoma Statutes;

18 2. A procedure to provide notice and an opportunity for review
19 prior to recording an individual on the restricted registry;

20 3. Disclosure requirements for information on the restricted
21 registry; and

22 4. A procedure to prohibit licensure, ownership, employment,
23 unsupervised access to children or residence in ~~a child care~~
24 ~~facility licensed by the Department of individuals recorded on the~~

1 ~~restricted registry~~ any facility providing care to children or
2 vulnerable adults.

3 B. The Child Care Restricted Registry shall include, but not be
4 limited to:

- 5 1. The full name of the individual;
- 6 2. Information necessary to identify the individual; and
- 7 3. The date the individual was recorded on the restricted
8 registry.

9 C. Nothing in this section shall be construed as to permit the
10 placement of an operator of a child care facility on the Child Care
11 Restricted Registry unless the operator:

- 12 1. Is the subject of a substantiated finding of child abuse or
13 neglect;
- 14 2. Has been subject to a revocation or denial of a child care
15 facility license; or
- 16 3. Has a specified criminal history, as defined by rules
17 promulgated by the Department.

18 SECTION 2. This act shall become effective November 1, 2017.

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