

**Title 19 – DEPARTMENT OF HEALTH and SENIOR SERVICES
Division 30 – Division of Regulation and Licensure
Chapter 63– Child Care Comprehensive Background Screening**

PROPOSED RULE

19 CSR 30-63.020 General Requirements

PURPOSE: This rule requires child care staff members to complete criminal background screening and have a qualifying result pursuant to section 210.1080 RSMo.

- (1) Prior to the employment or presence of a child care staff member in a family child care home, group child care home, child care center or license-exempt facility not exempted by section 210.1080.9(1) RSMo, the child care provider shall request the results of a criminal background check for such child care staff member from the department.**
- (2) A prospective child care staff member may begin work for a child care provider after the criminal background check has been requested from the department; however, pending completion of the criminal background check, the prospective child care staff member shall be supervised at all times by another child care staff member who received a qualifying result on the criminal background check within the past five (5) years.**
- (3) Child care providers shall request the results of a criminal background check for all child care staff members, unless the requirements of section (4) of this rule are met by the child care provider and proof is submitted to the department.**
- (4) A child care provider shall not be required to submit a request for a criminal background check for a child care staff member if:**
 - A. The staff member received a criminal background check within five (5) years before the latest date on which such a submission may be made and while employed by or seeking employment by another child care provider within Missouri;**
 - B. The first provider received a qualifying criminal background check result, consistent with this chapter, for the staff member; and**
 - C. The staff member is employed by a child care provider within Missouri or has been separated from employment from a child care provider within Missouri for a period of not more than one hundred eighty (180) consecutive days.**
- (5) Criminal background checks shall be completed for each child care staff member every five (5) years.**

AUTHORITY: section 210.1080, RSMo. 2018 Emergency rule filed February 15, 2019, effective February 25, 2019, expires August 23, 2019. Proposed: Filed February 15, 2019.*

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions more than five hundred dollars (\$500.00) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities more than five hundred dollars (\$500.00) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this amended rule with the Department of Health and Senior Services, Sue Porting, Section for Child Care Regulation, PO Box 570, Jefferson City, MO 65102, by faxing 573-526-5345, or via e-mail at Sue.Porting@health.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*