

1 AN ACT relating to child welfare.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 194A.062 is amended to read as follows:

4 (1) Each employee of the cabinet, including contract staff, with access to or use of  
5 federal tax information shall submit to a criminal background investigation by  
6 means of a fingerprint check by the Department of Kentucky State Police and the  
7 Federal Bureau of Investigation.

8 (2) ***Front-line staff, as defined in KRS 194A.065, shall submit to national and state***  
9 ***fingerprint-supported criminal background checks by the Department of***  
10 ***Kentucky State Police and the Federal Bureau of Investigation.***

11 (3) ***The results of the national and state criminal background checks shall be sent to***  
12 ***the cabinet.***

13 (4) ***The cabinet may register employees, contract staff, or front-line staff in the rap***  
14 ***back system.***

15 (5) The cabinet shall promulgate administrative regulations in accordance with KRS  
16 Chapter 13A to implement this section.

17 ➔Section 2. KRS 199.8966 is amended to read as follows:

18 (1) ***For the purposes of this section, "staff member" means an individual:***

19 (a) ***Who is employed by a child-caring facility or a child-placing agency for***  
20 ***compensation, including a contract employee or a self-employed individual;***  
21 ***or***

22 (b) ***Whose activities involve the sole care or supervision of children for a child-***  
23 ***caring facility or a child-placing agency or who has unsupervised access to***  
24 ***children who are cared for or supervised by a child-caring facility or a***  
25 ***child-placing agency.***

26 (2) The cabinet shall require a staff member of a child-caring facility ***or a child-placing***  
27 ***agency*** to submit to background checks in accordance with 42 U.S.C. sec.

1           671(a)(20)(D) and the implementing federal rules, including national and state  
2           fingerprint-supported criminal background checks by the Department of Kentucky  
3           State Police and the Federal Bureau of Investigation.

4           ~~(3)~~~~(2)~~    The child-caring facility or child-placing agency staff member shall provide  
5           the member's fingerprints to the Department of Kentucky State Police for  
6           submission to the Federal Bureau of Investigation after a state criminal background  
7           check is conducted.

8           ~~(4)~~~~(3)~~    The results of the national and state criminal background checks shall be sent  
9           to the cabinet.

10          ~~(5)~~~~(4)~~    The cabinet may register a child-caring facility or a child-placing agency staff  
11          member in the rap back system.

12          ~~(6)~~~~(5)~~    The request for background checks shall be in a manner approved by the  
13          Justice and Public Safety Cabinet, and the Cabinet for Health and Family Services  
14          may charge a fee to be paid by a child-caring facility or a child-placing agency not  
15          to exceed the actual cost of processing the request.

16          ~~(7)~~~~(6)~~    The cabinet shall promulgate administrative regulations in accordance with  
17          KRS Chapter 13A to implement this section.