

LEGISLATURE OF NEBRASKA
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 284

Introduced by Riepe, 12.

Read first time January 11, 2017

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to the Child Care Licensing Act; to amend
- 2 section 71-1912, Revised Statutes Cumulative Supplement, 2016; to
- 3 change provisions relating to criminal history record information
- 4 checks; and to repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-1912, Revised Statutes Cumulative Supplement,
2 2016, is amended to read:

3 71-1912 (1) Before issuance of a license, the department shall
4 investigate or cause an investigation to be made, when it deems
5 necessary, to determine if the applicant or person in charge of the
6 program meets or is capable of meeting the physical well-being, safety,
7 and protection standards and the other rules and regulations of the
8 department adopted and promulgated under the Child Care Licensing Act.
9 The department shall ~~may~~ investigate the character of applicants and
10 licensees, any member of the applicant's or licensee's household, and the
11 staff and employees of programs by making a national criminal history
12 record information check at the applicant's or licensee's expense. The
13 department may at any time inspect or cause an inspection to be made of
14 any place where a program is operating to determine if such program is
15 being properly conducted.

16 (2) All inspections by the department shall be unannounced except
17 for initial licensure visits and consultation visits. Initial licensure
18 visits are announced visits necessary for a provisional license to be
19 issued to a family child care home I, family child care home II, child
20 care center, or school-age-only or preschool program. Consultation visits
21 are announced visits made at the request of a licensee for the purpose of
22 consulting with a department specialist on ways of improving the program.

23 (3) An unannounced inspection of any place where a program is
24 operating shall be conducted by the department or the city, village, or
25 county pursuant to subsection (2) of section 71-1914 at least annually
26 for a program licensed to provide child care for fewer than thirty
27 children and at least twice every year for a program licensed to provide
28 child care for thirty or more children.

29 (4) Whenever an inspection is made, the findings shall be recorded
30 in a report designated by the department. The public shall have access to
31 the results of these inspections upon a written or oral request to the

1 department. The request must include the name and address of the program.
2 Additional unannounced inspections shall be performed as often as is
3 necessary for the efficient and effective enforcement of the Child Care
4 Licensing Act.

5 Sec. 2. Original section 71-1912, Revised Statutes Cumulative
6 Supplement, 2016, is repealed.