

**199.8965 Child care staff members must submit to background checks in accordance with federal law and regulations -- Administrative regulations.**

- (1) For the purposes of this section, "child care staff member" has the same meaning as in 42 U.S.C. sec. 9858f and the implementing federal rules.
- (2) The cabinet shall require a child care staff member to submit to background checks in accordance with 42 U.S.C. sec. 9858f and the implementing federal rules, including national and state fingerprint-supported criminal background checks by the Department of Kentucky State Police and the Federal Bureau of Investigation.
- (3) The child care staff member shall provide the member's fingerprints to the Department of Kentucky State Police for submission to the Federal Bureau of Investigation after a state criminal background check is conducted.
- (4) The results of the national and state criminal background checks shall be sent to the cabinet.
- (5) The cabinet may register a child care staff member in the rap back system.
- (6) The request for background checks shall be in a manner approved by the Justice and Public Safety Cabinet, and the cabinet may charge a fee to be paid by a child care staff member for the actual cost of processing the request.
- (7) Any fee charged by the Department of Kentucky State Police or the Federal Bureau of Investigation shall be an amount no greater than the actual cost of processing the request and conducting the criminal background check and rap back system ongoing status notification.
- (8) The cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A to implement this section.

**Effective:** March 27, 2017

**History:** Created 2017 Ky. Acts ch. 135, sec. 4, effective March 27, 2017.