

**Bill Summary**  
1<sup>st</sup> Session of the 57<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB 1020</b>
<b>Version:</b>	<b>INT</b>
<b>Request No.:</b>	<b>604</b>
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**Bill Analysis**

SB 1020 requires the Department of Human services to include in its notification to a child care facility in violation of the Oklahoma Child Care Facilities Licensing Act the details of the decision to substantiate or unsubstantiated complaints made against the facility. The measure also directs the Department to solicit information from complainants in order to determine whether a child's wellbeing is at risk. Such information includes identifying features of the complainant and specific details surrounding the allegations made by the complainant. The Department must also inform complainants that it will not investigate anonymous complaints.

Additionally, the measure states that a complaint wherein the complainant elects to remain confidential indefinitely shall not result in information to be used to substantiate an allegation unless it is independently verified by the Department. Complaints wherein the complainant elects to remain confidential until the end of the investigation shall be investigated if a Department investigator determines the allegations to be credible and if the investigator determines that the complaint did not arise from an anonymous complaint. The Department must also inform the childcare facility that the Department received a complaint about the facility, regardless if it was anonymous or not, unless such an action would endanger the life and wellbeing of a child. Any person found to have made a false complaint is subject to a fine of up to \$200.00.

If the Department cannot substantiate the complaint, the Department must maintain the confidentiality of records related to the complaint investigation and remove them from the public online database. Visits to childcare facilities are limited to one visit unless there is serious risk of harm to a child. Childcare programs shall not be held liable for the actions of an employee if the program can demonstrate that the employee received training and violated the program's policies.

Childcare facilities are authorized by the measure to file a grievance regarding the enforcement of any written or unwritten policy or rule of the Child Care Services. The measure states that grievances are encouraged to be resolved informally, but provides for a formal arbitration process.

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