

September 11, 2019

Dear Child Care Providers,

On May 30, 2019, Governor Pete Ricketts signed LB460 into law requiring child care staff members and individuals residing in Family Child Care Homes who are 18 years of age or older to submit fingerprints for a national criminal history record check. This law impacts licensed Family Child Care Homes I and II, Child Care Centers, School Age Only Centers, and Preschools.

Beginning October 1, 2019, individuals who are 18 years of age and older who are new child care staff members in any of these settings or new residents in Family Child Care Homes are required to submit fingerprints for a national criminal history record check. The individual submitting prints is required to pay the actual cost of the fingerprinting and processing.

New child care provider licenses will not be issued after October 1, 2019, until all child care staff members and residents have completed the fingerprint national criminal history record check and have been determined by the Division of Public Health to be eligible for employment or residence in a child care program.

Child care staff members who were employed by a child care provider prior to October 1, 2019, or individuals who resided in a family child care home prior to October 1, 2019, are required to submit fingerprints for a national criminal history record check by October 1, 2021. Additional information and guidance regarding the process for these current child care staff members and residents will be provided at a later date.

In addition, any individual 18 years of age or older living in or providing care in a child care program is required to have a full set of background checks completed at least once every 5 years while employed at or living in a child care program. The required checks include: fingerprint based national criminal history; state criminal history; state sex offender registry; and child abuse and neglect registries, repositories, or databases for every state in which the individual has resided during the previous 5 years.

Enclosed is information outlining the process for requesting fingerprint national criminal history record checks through the Nebraska State Patrol, and for dissemination by the Division of Public Health of the individual's employment eligibility to the child care provider.

At each unannounced licensing inspection, the Department will review the child care provider's documentation of employee eligibility to verify the provider's compliance with the new law. Failure to comply with these statutory requirements may result in disciplinary action against your child care provider license.

If you have questions about these requirements, please contact the Division of Public Health, Licensure Unit, at 800-600-1289 or by e-mail at DHHS.ChildCareLicensing@nebraska.gov.

Thank you for your ongoing service to the children and families of Nebraska.

Sincerely,

Lindsay Braddock
DHHS Program Manager II