**§8302-B. Providers subject to standards**

A person who provides day care in that person's home for one or 2 children whose care is paid for by state or federal funds is not required to be licensed as a family child care provider pursuant to section 8301‑A but is subject to the provisions of this section. [PL 2021, c. 35, §25 (AMD).]

**1. Investigation.**  A person who provides day care in that person's home for one or 2 children whose care is paid for by state or federal funds and a child care staff member, as defined in section 8302‑A, subsection 2, paragraph K, of the person must pass a criminal background check pursuant to section 8302‑C that meets the requirements of 42 United States Code, Section 9858f(b).

[PL 2017, c. 457, §7 (RPR).]

**1-A. Payment for criminal background checks.**  Fees for and costs related to processing and administering criminal background checks required for a child care staff member pursuant to subsection 1 must be paid by the department from the funds available under the federal Child Care and Development Block Grant Act of 1990, as amended by the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 110 Stat. 2105. The fees for and costs related to processing and administering criminal background checks reimbursed under this subsection may not exceed the actual costs for processing and administration. A transfer of payment by the department to the Department of Public Safety from the federal Child Care and Development Block Grant Act of 1990, as amended by the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996, Public Law 104-193, 110 Stat. 2105 must be made pursuant to a schedule agreed upon by the department and the Department of Public Safety, in consultation with the State Controller, and based on documentation of fees and processing and administration costs incurred.

[PL 2017, c. 457, §8 (NEW).]

**2. Information provided by department.**  The department shall supply providers with information on the following topics:

A. Health and safety, including the control of communicable disease, and immunization requirements; [PL 1997, c. 494, §11 (NEW); PL 1997, c. 494, §15 (AFF).]

B. Physical premises safety; and [PL 1997, c. 494, §11 (NEW); PL 1997, c. 494, §15 (AFF).]

C. Training opportunities in health and safety, first aid and cardiopulmonary resuscitation and early care and education. [PL 1997, c. 494, §11 (NEW); PL 1997, c. 494, §15 (AFF).]

[PL 1997, c. 494, §11 (NEW); PL 1997, c. 494, §15 (AFF).]

**3. Authority to inspect.**  The department has the authority to inspect the premises of the person providing the care.

[PL 1997, c. 494, §11 (NEW); PL 1997, c. 494, §15 (AFF).]

SECTION HISTORY

PL 1997, c. 494, §11 (NEW). PL 1997, c. 494, §15 (AFF). PL 2005, c. 530, §9 (AMD). PL 2017, c. 457, §§7, 8 (AMD). PL 2021, c. 35, §25 (AMD).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

*All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Regular and First Special Session of the 131st Maine Legislature and is current through November 1, 2023
 . The text is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.*

The Office of the Revisor of Statutes also requests that you send us one copy of any statutory publication you may produce. Our goal is not to restrict publishing activity, but to keep track of who is publishing what, to identify any needless duplication and to preserve the State's copyright rights.

PLEASE NOTE: The Revisor's Office cannot perform research for or provide legal advice or interpretation of Maine law to the public. If you need legal assistance, please contact a qualified attorney.