

Article - Family Law

PART VI. CRIMINAL BACKGROUND INVESTIGATIONS FOR EMPLOYEES OF FACILITIES THAT CARE FOR OR SUPERVISE CHILDREN

5-560.

(A) IN THIS PART VI OF THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "CONVICTION" MEANS A PLEA OR VERDICT OF GUILTY OR A PLEA OF NOLO CONTENDERE.

(C) "DEPARTMENT" MEANS THE DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

(D) "EMPLOYEE" MEANS A PERSON THAT FOR COMPENSATION IS EMPLOYED TO WORK IN A FACILITY IDENTIFIED IN § 5-561 OF THIS ARTICLE AND WHO:

(1) CARES FOR OR SUPERVISES CHILDREN IN THE FACILITY;
OR

(2) HAS ACCESS TO CHILDREN WHO ARE CARED FOR OR SUPERVISED IN THE FACILITY.

(E) (1) "EMPLOYER" MEANS AN OWNER, OPERATOR, PROPRIETOR, OR MANAGER ~~OR-SUBSTITUTE-WORKER~~ OF A FACILITY IDENTIFIED IN § 5-561 AND HAS FREQUENT CONTACT WITH CHILDREN WHO ARE CARED FOR OR SUPERVISED IN THE FACILITY.

(2) "EMPLOYER" DOES NOT INCLUDE A STATE OR LOCAL AGENCY RESPONSIBLE FOR THE TEMPORARY OR PERMANENT PLACEMENT OF CHILDREN IN A FACILITY IDENTIFIED IN § 5-561.

(F) "SECRETARY" MEANS THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

5-561.

(A) NOTWITHSTANDING ANY PROVISION OF LAW TO THE CONTRARY, AN EMPLOYEE AND EMPLOYER IN A FACILITY IDENTIFIED IN SUBSECTION

(B) OF THIS SECTION SHALL APPLY FOR A FEDERAL AND STATE CRIMINAL BACKGROUND INVESTIGATION AT ANY DESIGNATED LAW ENFORCEMENT OFFICE IN THIS STATE.

(B) THE FOLLOWING FACILITIES SHALL REQUIRE EMPLOYEES AND EMPLOYERS TO OBTAIN A CRIMINAL BACKGROUND INVESTIGATION UNDER THIS PART VI:

(1) A GROUP DAY CARE CENTER REQUIRED TO BE LICENSED UNDER TITLE 14 OF THE HEALTH - GENERAL ARTICLE;

(2) A CHILD CARE HOME REQUIRED TO BE LICENSED UNDER TITLE 5 OF THIS ARTICLE OR UNDER TITLE 6 OF THE HEALTH - GENERAL ARTICLE;