

~~(H) CARES FOR OR SUPERVISES CHILDREN IN THE FACILITY; OR~~

~~(H) HAS ACCESS TO CHILDREN WHO ARE CARED FOR OR SUPERVISED IN THE FACILITY WHO:~~

(I) PARTICIPATES IN A POOL DESCRIBED IN SUBSECTION (E)(2) OF THIS SECTION;

(II) FOR COMPENSATION WILL BE EMPLOYED ON A SUBSTITUTE OR TEMPORARY BASIS TO WORK IN A FACILITY IDENTIFIED IN § 5-561(B)(1) OR (2) OF THIS SUBTITLE; AND

(III) WILL CARE FOR OR SUPERVISE CHILDREN IN THE FACILITY OR WILL HAVE ACCESS TO CHILDREN WHO ARE CARED FOR OR SUPERVISED IN THE FACILITY.

[(2)] (3) "Employee" does not include any person employed to work for compensation by the Department of Juvenile Justice.

(e) (1) "Employer" means an owner, operator, proprietor, or manager of a facility identified in § 5-561 of this subtitle who has frequent contact with children who are cared for or supervised in the facility.

~~(2) TO THE EXTENT THAT ANY OF THE FOLLOWING ENTITIES ESTABLISH AND MAINTAIN A POOL OF INDIVIDUALS WHO ARE QUALIFIED TO WORK AS SUBSTITUTE OR TEMPORARY EMPLOYEES IN A FACILITY IDENTIFIED IN § 5-561 OF THIS SUBTITLE, "EMPLOYER" INCLUDES:~~

~~(A) CHILD CARE RESOURCE AND REFERRAL CENTERS;~~

~~(H) ASSOCIATIONS OF LICENSED FAMILY CHILD CARE PROVIDERS;~~
AND

(H) ASSOCIATIONS OF LICENSED CHILD CARE CENTERS FOR PURPOSES OF §§ 5-561(G), 5-563(B)(1), 5-564(A)(2)(I) AND (D)(1)(I) AND (2), AND 5-567 OF THIS SUBTITLE, "EMPLOYER" INCLUDES A CHILD CARE RESOURCE AND REFERRAL CENTER, AN ASSOCIATION OF REGISTERED FAMILY DAY CARE PROVIDERS, AND AN ASSOCIATION OF LICENSED CHILD CARE CENTERS TO THE EXTENT THAT THE CENTER OR ASSOCIATION ESTABLISHES AND MAINTAINS A POOL OF INDIVIDUALS WHO ARE QUALIFIED TO WORK AS SUBSTITUTE OR TEMPORARY EMPLOYEES IN A FACILITY IDENTIFIED IN § 5-561(B)(1) OR (2) OF THIS SUBTITLE.

[(2)] (3) "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 of this subtitle.

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 and persons identified in subsection (c) of this section shall apply for a national and State criminal history records check at any designated law enforcement office in this State.