

House Amendment To
Senate File 2164

S-5111

1 Amend Senate File 2164, as passed by the Senate, as
2 follows:

3 1. Page 2, after line 4 by inserting:

4 <Sec. _____. Section 237A.5, subsection 2, Code 2011,
5 is amended by adding the following new paragraph:

6 NEW PARAGRAPH. *0g.* A person subject to a record
7 check who is or was employed by a child care facility
8 or child care home provider and is hired by another
9 child care facility or child care home provider,
10 shall be subject to a record check in accordance with
11 this subsection. However, if the person was subject
12 to an evaluation because of a transgression in the
13 person's record and the evaluation determined that
14 the transgression did not warrant prohibition of the
15 person's involvement with child care and the latest
16 record checks do not indicate there is a transgression
17 that was committed subsequent to that evaluation,
18 the person may commence employment with the other
19 child care facility or provider in accordance with
20 the department's evaluation and an exemption from
21 any requirements for reevaluation of the latest
22 record checks is authorized. Authorization of an
23 exemption under this paragraph "*0g*" from requirements
24 for reevaluation of the latest record checks by
25 the department is subject to all of the following
26 provisions:

27 (1) The position with the subsequent employer
28 is substantially the same or has the same job
29 responsibilities as the position for which the previous
30 evaluation was performed.

31 (2) Any restrictions placed on the person's
32 employment in the previous evaluation by the department
33 shall remain applicable in the person's subsequent
34 employment.

35 (3) The person subject to the record checks has
36 maintained a copy of the previous evaluation and
37 provides the evaluation to the subsequent employer or
38 the previous employer provides the previous evaluation
39 from the person's personnel file pursuant to the
40 person's authorization. If a physical copy of the
41 previous evaluation is not provided to the subsequent
42 employer, the record checks shall be reevaluated.

43 (4) Although an exemption under this paragraph
44 "*0g*" may be authorized, the subsequent employer may
45 instead request a reevaluation of the record checks and
46 may employ the person while the reevaluation is being
47 performed.>

48 2. Title page, line 3, after <facilities> by
49 inserting <and child care facilities and homes>

50 3. By renumbering as necessary.