

SB 2238 --TESTIMONY  
House Judiciary Committee  
Senator Kathy Hogan  
March 14, 2023

Chairman Klemin and members of the House Judiciary Committee, for the record my name is Kathy Hogan and I represent District 21 which is central Fargo and a corner of West Fargo.

Over the last 12 to 18 months, discussion regarding the need to stabilize the childcare infrastructure has generated many creative ideas and suggestions. This is a complex issue, there is not one simple solution. Senate Bill 2238 is the major bill that is targeted at shortening the time it takes to get background checks for childcare providers and provides for a “shall consider” interim study on ways to simplify the background check process for various groups.

In Minnesota, the time from the initial referral for a background check for fingerprinting to getting a report from the state is 3 days. In South Dakota, it averages 5-7 days. In ND, the whole fingerprinting process and criminal background check delays are the result of many different steps. First, it is difficult to get an appointment to get fingerprinted (average 12 days in Fargo). When the

fingerprint is returned to the provider and then mailed to the DHHS, the average response is 11 days. This results in a 3-to-4-week delay from the time of initial referral for fingerprinting to getting results on an in-state applicant. As a result of these delays, as many as 50% of childcare applicants in some areas have obtained employment by the time the background checks are completed.

Many professions, particularly those related to services to children, require criminal background checks that are based on fingerprints.

This bill simply requires the ND Department of Health and Human Services to establish a background check infrastructure for childcare employees that is timely and responsive to providers and applicants. The Senate Human Services Committee worked with DHHS to outline a process that is feasible. This bill was supported by both the policy and Appropriations Committee and by the Senate.

Thank you for your consideration and I would be more than willing to answer any questions.