

SUBSTITUTE FOR

HOUSE BILL NO. 6221

(As amended June 27, 2008)  
(1 of 2)

A bill to amend 1939 PA 280, entitled  
"The social welfare act,"  
(MCL 400.1 to 400.119b) by adding section 74a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           SEC. 74A. (1) BEFORE ENROLLING AN INDIVIDUAL AS A DAY CARE  
2 AIDE OR RELATIVE CARE PROVIDER TO PROVIDE CHILD CARE, THE  
3 DEPARTMENT SHALL CONDUCT A CRIMINAL HISTORY CHECK ON THE INDIVIDUAL  
4 IN THE MANNER PROVIDED FOR UNDER THE MICHIGAN LONG-TERM CARE  
5 PARTNERSHIP WORKFORCE BACKGROUND CHECKS MODEL.

[(2) THIS SECTION DOES NOT APPLY TO AN INDIVIDUAL WHO HAS PROVIDED  
CHILD CARE AS A DAY CARE AIDE OR RELATIVE CARE PROVIDER DURING THE 6-  
MONTH PERIOD IMMEDIATELY PRECEDING THE EFFECTIVE DATE OF THE AMENDATORY  
ACT THAT ADDED THIS SECTION.

(3) NOT LATER THAN 12 MONTHS AFTER THE EFFECTIVE DATE OF THE  
AMENDATORY ACT THAT ADDED THIS SECTION, AN INDIVIDUAL WHO IS EXEMPT UNDER  
SUBSECTION (2) SHALL PROVIDE THE DEPARTMENT OF STATE POLICE WITH A SET OF  
FINGERPRINTS. THE DEPARTMENT OF STATE POLICE SHALL INPUT THE FINGERPRINTS  
INTO THE AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM DATABASE ESTABLISHED  
UNDER SECTION 134A(12) OF THE MENTAL HEALTH CODE, 1974 PA 258, MCL  
330.1134A. THE DEPARTMENT SHALL PAY THE COST OF OBTAINING THE  
FINGERPRINTS AND INPUTTING THE FINGERPRINTS UNDER THIS SUBSECTION. IF AN  
INDIVIDUAL WHO IS EXEMPT UNDER THIS SUBSECTION IS CONVICTED OF A CRIME  
LISTED UNDER SECTION 134A(1) OF THE MENTAL HEALTH CODE, 1974 PA 258, MCL  
330.1134A AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS  
SECTION, HE OR SHE IS NO LONGER EXEMPT AND MAY HAVE HIS OR HER CHILD CARE  
SUBSIDY REVOKED OR MAY BE DENIED PAYMENT OF THE CHILD CARE SUBSIDY.

6           (4)] AS USED IN THIS SECTION AND SECTIONS 74B TO 74J:

House Bill No. 6221 (H-1) as amended June 27, 2008 (2 of 2)

7 (A) "DAY CARE AIDE" MEANS AN INDIVIDUAL WHO IS AT LEAST 18  
8 YEARS OF AGE OR OLDER, IS EMPLOYED BY THE PARENT OR GUARDIAN OF THE  
9 CHILD, AND IS ENROLLED BY THE DEPARTMENT TO PROVIDE CHILD CARE FOR  
10 UP TO 6 CHILDREN IN THE HOME WHERE THE CHILDREN LIVE.

1           (B) "RELATIVE CARE PROVIDER" MEANS AN ADULT 18 YEARS OF AGE OR  
2   OLDER WHO PROVIDES CARE IN THE RELATIVE'S HOME, IS ENROLLED BY THE  
3   DEPARTMENT TO PROVIDE CHILD CARE FOR UP TO 6 CHILDREN, AND IS  
4   RELATED TO THE CHILD AS "RELATED" IS DEFINED IN SECTION 1(1)(S) OF  
5   1973 PA 116, MCL 722.111.