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Substitute Bill Comparative Synopsis

Sub. H.B. 649

136th General Assembly

House Children and Human Services

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This table summarizes how the latest substitute version of the bill (l_136_2560-11) differs from the version recently adopted in House Children and Human Services (l_136_2560-9). It addresses only the topics on which the two versions differ substantively. It does not list topics on which the two bills are substantively the same.

Previous Version (l_136_2560-9)	Latest Version (l_136_2560-11)
Investigation and prosecution of waste, fraud, and abuse related to publicly funded child care	
Specifies the duties and authority of the Department of Children and Youth (DCY), Inspector General, and Attorney General regarding allegations of probable or suspected waste, fraud, and abuse related to a publicly funded child care (PFCC) provider that is a child care center *(R.C. 5104.303 and 5104.304)*.	Expands the provisions' application to all PFCC providers (child care centers, licensed family child care homes, in-home aides, child day camps, licensed preschool programs, and licensed school child programs), not only PFCC providers that are child care centers *(R.C. 5104.303 and 5104.304)*.

Previous Version (I_136_2560-9)	Latest Version (I_136_2560-11)
Recording and verifying PFCC attendance	
Requires DCY to adopt rules establishing standards and procedures for recording and verifying child care center PFCC attendance *(R.C. 5104.361).* Directs the rules to authorize, require, or prohibit certain actions related to PFCC attendance, including the following: ▪ Requiring DCY to provide electronic tablets to centers for recording attendance and taking a photograph or video of a child at the time attendance is recorded *(R.C. 5104.361(A)(1))*; ▪ Authorizing centers and caretaker parents to use the tablets to record attendance and take photographs or videos of children at the time attendance is recorded *(R.C. 5104.361(A)(2) and (3))*; ▪ Requiring the use of unique passwords or pins *(R.C. 5104.361(D)(4))*; ▪ Prohibiting backdating attendance unless DCY expressly permits it or it is necessary during the 30-day period while a parent is seeking employment or taking part in orientation *(R.C. 5104.361(A)(5))*; ▪ Requiring DCY and centers to destroy photographs and videos after they have been used to verify attendance *(R.C. 5104.361(A)(6))*;	Establishes standards and procedures for recording and verifying the attendance of a child who is receiving PFCC from a PFCC provider as follows, instead of requiring the standards to be established by DCY rule *(R.C. 5104.361(B))*. Changes the standards and procedures related to PFCC attendance as follows: ▪ Requires DCY to provide PFCC providers electronic tablets for recording attendance and collecting, within one hour of the child's arrival, data points necessary to confirm attendance *(R.C. 5104.361(D)(1))*; ▪ Requires providers and caretaker parents to use the tablets to record attendance and collect data points necessary to confirm attendance, but only for children enrolled with the provider who receive PFCC *(R.C. 5104.361(D)(2) and (4))*; ▪ Same *(R.C. 5104.361(E))*; ▪ Same, but limits DCY's authority to approve backdating to circumstances involving a documented emergency or extenuating circumstance beyond the parent or provider's control, including a system outage, natural disaster, or other serious event *(R.C. 5104.361(G))*; ▪ Requires DCY, providers, and third-party vendors, and centers to delete data points as soon as practicable after they have been used to verify attendance and the reimbursement period has expired *(R.C. 5104.361(I))*;

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▪ Specifiying that photographs and videos taken under the bill are not public records *(R.C. 5104.361(A)(7))*;	▪ Specifies that data points collected under the bill are not public records *(R.C. 5104.361(I))*;
▪ Permitting a center to use a school-age child's absentee day in a half-day segment if the child missed half of the day for an extracurricular activity associated with school (R.C. 5104.361(A)(8));	▪ Permits a provider to use a child's absent day only with DCY approval in its full and complete discretion and (1) a school-age child missed a day or portion of a day for an extracurricular activity and the caretake parent was notified and gave approval for the use, (2) a weather event or natural disaster occurs, or (3) the child leaves early due to illness and the parent was notified and gave approval for the use *(R.C. 5104.361(D)(3))*;
▪ Authorizing a center to use digital versions of any attendance compliance required *(R.C. 5104.361).*	▪ Same but applies to all PFCC providers *(R.C. 5104.361(H)).*
Prohibits the rules from requiring a center to use paper sign-in sheets to record attendance *(R.C. 5104.361(B)).*	Same but applies to all PFCC providers *(R.C. 5104.361(H))*.
No provision.	Prohibits DCY from storing or capturing any photograph or video in complying with the bill, instead requiring DCY to use only the video capabilities from the camera system contained in the electronic tablet to collect necessary data points to verify attendance, but exempts photos or videos taken before the bill's enactment from the prohibition *(R.C. 5104.361(B))*.
No provision.	Prohibits DCY, providers, and any third-party vendor from using data points collected as required by the bill for any purpose other than recording or verifying a child's attendance *(R.C. 5104.361(I))*.
No provision.	At the time a family applies for PFCC, requires DCY or the county department of job and family services to collect data points of the child necessary to confirm the child's attendance, and prohibits a

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	family from receiving PFCC until the data points are collected *(R.C. 5104.361(C))*.
No provision.	Requires DCY or the county department to collect updated data points every six months *(R.C. 5104.361(C)*.
No provision.	Enumerates requirements for PFCC providers submitting attendance data for the calculation of PFCC payments, including: ▪ Requiring attendance data to be submitted for payment after the close of the service week but no later than 14 days after the end of the service week or date the authorization is provided to the automated child care system (reduced from existing four-week requirement in DCY rules (*O.A.C. 5180:2-16-09(E)(1)*); ▪ Permitting only complete data with in and out times for the child; ▪ Prohibiting changes to attendance data to be submitted without caretaker parent approval except under specified circumstances; ▪ Permitting the provider until the following Saturday to recall submitted attendance data to make changes (with caretaker parent approval); ▪ Requiring DCY to process any complete attendance data for payment once the timeframe has expired and prohibits new attendance data from being submitted; ▪ Prohibits DCY from paying for a child's attendance submitted by more than one provider for the same date and time. *(R.C. 5104.361(F).)*

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