

## Report in Brief

Date: December 2021

Report No. A-06-19-02001

U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES  
**OFFICE OF INSPECTOR GENERAL**



### Why OIG Did This Audit

The Child Care and Development Block Grant Act (CCDBG Act) of 2014 added new requirements for States that receive funding from the Child Care and Development Fund (CCDF) to conduct comprehensive criminal background checks on staff members and prospective staff members of child care providers every 5 years. Criminal background check requirements apply to any staff member who is employed by a child care provider for compensation or whose activities involve the care or supervision of children or unsupervised access to children.

Our objective was to determine whether Louisiana's monitoring process of child care providers ensured provider compliance with State requirements related to criminal background checks established under the CCDBG Act.

### How OIG Did This Audit

We selected and reviewed a nonstatistical sample of 30 out of 1,034 family child care providers and child care centers that received CCDF funding during State fiscal year 2018. We used geographic area, total CCDF funding received, and State inspection deficiencies to select 15 child care centers and 15 family home providers. In total, we reviewed supporting documentation for 264 household members and employees at 30 child care provider locations.

## Louisiana's Monitoring Did Not Ensure Child Care Provider Compliance With Criminal Background Check Requirements at 8 of 30 Providers Reviewed

### What OIG Found

Louisiana's monitoring process did not ensure provider compliance with State requirements for criminal background checks at 8 of the 30 child care provider locations we reviewed. We found that 15 of the 264 individuals requiring a background check did not have 1 or more of the required criminal background checks by the required deadlines.

The providers did not initiate a timely background check request for these 15 individuals. Because the State agency relies on child care providers to initiate the background check process, it was unaware that these individuals were lacking required background checks. As a result, the safety and well-being of children were potentially at risk.

### What OIG Recommends and Louisiana's Comments

We recommend that Louisiana (1) ensure that providers initiate and complete criminal background checks for all required individuals, including those given access to children on a contingency basis, and (2) develop a process to ensure providers initiate required background checks for all employees in a timely manner.

Louisiana respectfully disagreed with our findings and did not indicate concurrence or nonconcurrence with our recommendations. Specifically, Louisiana stated it was beyond their control to enforce compliance for individuals not identified by providers or inspections. Louisiana also stated that while it was unable to verify compliance for all providers on the first day the background check requirements were implemented, its subsequent monitoring efforts ensures provider compliance with those requirements.

After reviewing the State agency's comments, we maintain that our findings are valid but have revised our recommendations. We recognize that providers may periodically need neighbors, temporary household members, or other individuals to care for the children on a contingency basis. We also recognize that ensuring compliance with CCCBC requirements is a process that continues beyond the effective date. Our revised recommendations are intended to strengthen the State agency's efforts to protect the safety and well-being of children.