

## Report in Brief

Date: August 2022

Report No. A-09-21-01000

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



### Why OIG Did This Audit

The Child Care and Development Block Grant Act of 2014 (CCDBG Act) 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 Nevada's monitoring 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

Our audit covered 344 licensed family homes and child care centers that received CCDF funding during State fiscal year 2020. We used geographic area, total capacity, and total CCDF funding received to select for review 15 family homes and 15 child care centers, for a total of 30 child care providers. In total, we reviewed supporting documentation for 589 individuals who were current employees or household members for 30 different child care providers.

## Nevada's Monitoring Did Not Ensure Child Care Provider Compliance With State Criminal Background Check Requirements at 9 of 30 Providers Reviewed

### What OIG Found

Nevada's monitoring of child care providers did not ensure provider compliance with State requirements related to criminal background checks for 9 of the 30 child care providers we reviewed. Of the 589 individuals whose supporting documentation we reviewed, 32 had not had 1 or more of the required criminal background checks. Specifically, 3 child care providers did not obtain any of the required criminal background checks for 8 individuals (5 individuals had background checks conducted after we notified Nevada, and the other 3 individuals either left or were terminated); 4 child care providers did not obtain 1 or more of the required criminal background checks for 21 individuals; and 2 child care providers did not obtain any of the required criminal background checks when 3 individuals who were minors were hired (the background checks were not conducted until the individuals were about to turn 18 years old). These deficiencies occurred because providers did not notify Nevada of a new household member or newly hired staff, and Nevada officials stated that they misinterpreted the State regulations on completing criminal background checks for minors. By not ensuring that all child care staff members cleared all required criminal background checks, Nevada potentially jeopardized the safety of children at these child care providers. Additionally, Nevada did not have an explicit requirement or policy to conduct an in-State sex offender registry check for all child care staff members.

### What OIG Recommends and Nevada Comments

We recommend that Nevada: (1) ensure that child care providers notify Nevada when a new household member is added or a new employee is hired so that the State may conduct the required criminal background checks; (2) ensure that all required criminal background checks are conducted for the 21 individuals we identified who did not have all of the required checks at the time of our audit; (3) ensure that all required criminal background checks are conducted for all employees who are under the age of 18; (4) revise its policies and procedures to ensure that all child care staff members, regardless of age, are fingerprinted and have background checks completed immediately after being hired; and (5) add a written requirement and policy to conduct the in-State sex offender registry check for all child care staff members.

Nevada agreed with our findings and provided information on actions that it had taken or planned to take to address our recommendations. For example, Nevada stated that it will conduct education and training sessions for child care providers on Federal and State criminal background check requirements.