



May 1, 2015

Dear Public Bathing Place Representative:

This letter is to inform all public bathing place facilities in Pennsylvania of changes in the Child Protective Services Law (CPSL) that may impact employees and volunteers of your facility.

In 2013 and 2014, Governor Corbett signed into law amendments to the CPSL. The amendments expand the number of individuals who are required to undergo background checks prior to obtaining or maintaining employment or volunteering at facilities where employees or volunteers are responsible for the welfare of children or who have direct contact with children. For purposes of the CPSL, a “child” is defined as anyone under the age of 18. In addition, certain individuals are required to undergo mandatory CPSL training to obtain or maintain their positions.

The CPSL is regulated by the Department of Human Services (formerly the Department of Public Welfare) and not the Department of Health. However, the CPSL impacts many different areas, including areas regulated by the Department of Health. As such, this letter is meant to serve as notice of the changes to the CPSL and to provide guidance on where to obtain further information. This letter does not serve as legal advice from the Department of Health.

As a public bathing place facility, employees 14 years of age or older and volunteers 18 years of age or older may be impacted under the CPSL. This may include individuals in management positions, lifeguards, swim lesson instructors, swim team coaches, volunteers, and any other individual that may have direct contact with children at your facility.

Additional information is provided on the back of this letter to help you determine whether employees or volunteers of your facility are subject to the CPSL requirements. Please be aware that the changes to the CPSL are currently in effect and may impact facilities that are preparing to open for the 2015 summer season, as well as year-round facilities.

Thank you for your continued efforts to provide for bather health and safety.

Sincerely,

A handwritten signature in black ink that reads "D. P. Koszalka". The signature is written in a cursive, somewhat stylized font.

Douglas P. Koszalka
Director

CHILD PROTECTIVE SERVICES LAW – GENERAL INFORMATION

1. Where can I obtain more information whether my facility is subject to the CPSL?

Facilities can obtain more information on the Department of Human Services' CPSL website at www.keepkidssafe.pa.gov. The Keep Kids Safe website has several FAQ documents and other information including the CPSL, clearances, and training.

2. What is the Department of Health's role regarding the CPSL?

While the Department of Health does not administer the CPSL, it is the permitting agency for public bathing facilities. The Department of Health will review any violations of the CPSL and other laws and take appropriate action as authorized under the Department of Health's laws and regulations. Violations of the CPSL could result in sanctions against a public bathing facility. The Department of Health will work with the Department of Human Services regarding compliance with CPSL requirements and assist public bathing facilities, where feasible, with meeting the requirements of the CPSL.

3. If I have further questions, is there someone I can contact?

It is recommended that all facilities contact their own legal counsel to determine whether their facility is subject to the CPSL changes. In addition, facilities may contact the Department of Human Services in a number of ways:

- For questions related to child protection, email the Office of Children, Youth and Families at RA-PWCPSLQuestions@pa.gov.
- For questions regarding Child Abuse Referrals, contact ChildLine at 1-800-932-0313.
- For questions regarding your Pennsylvania Child Abuse History Clearance Application, contact ChildLine at 1-877-371-5422.
- For assistance with your account log-in or other technical issues, contact 1-877-343-0494.

It is also recommended that facilities review the Keep Kids Safe website and particularly the FAQ documents relating to background check clearances for employees and volunteers which can be found at:

- http://keepkidssafe.pa.gov/cs/groups/webcontent/documents/document/C_135246.pdf
- http://keepkidssafe.pa.gov/cs/groups/webcontent/documents/document/C_135249.pdf