

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

COMMITTEE ON HEALTH JOINTLY
WITH THE COMMITTEE ON OVERSIGHT
AND INVESTIGATIONS AND THE
SUBCOMMITTEE ON EARLY CHILDHOOD
EDUCATION

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April 22, 2026
Start: 1:10 p.m.
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HELD AT: Council Chambers - City Hall

B E F O R E: Lynn Schulman,
Chairperson for the Committee
on Health

Shekar Krishnan,
Chairperson for the Committee
on Oversight and Investigations

Jennifer Gutiérrez,
Chairperson for Subcommittee
on Early Childhood Education

COUNCIL MEMBERS:

Joann Ariola
Gale Brewer
David Carr
Harvey D. Epstein
Simcha Felder
James F. Gennaro

COUNCIL MEMBERS: (CONTINUED)

Rita Joseph
Linda Lee
Christopher Marte
Frank Morano
Mercedes Narcisse
Kevin C. Riley
Sandra Ung
Nantasha Williams
Susan Zhuang

A P P E A R A N C E S (CONTINUED)

Corinne Schiff
DOHMH

Emmy Liss
MOCC

Aaron Yarbrough
MOCC

Paula Inhargue
United Neighborhood Houses

Neily Appeal
Cuddles Daycare

Joyce McClammy
Executive Board Member Local 205 DC37

Gregory Brender
The Day Care Council

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Early Care & Education Consortium

Stacey Wiggall
National Alliance of Trauma Recovery
Centers

Joanna Mendez
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Hayro Gunc

Rebecca Schneider-Kaplan

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SERGEANT AT ARMS: This is a microphone check for
the Committee on Health, joint with the Committee on
Early Childhood Education, joined with the Committee
on Oversight and Investigations, recorded on April
22, 2026, located in Chambers by Nazly Paytuvi.

SERGEANT AT ARMS: Good afternoon and welcome to
today's New York City Council hearing for the
Committee on Health, joint with the Subcommittee on
Early Childhood Education, and joint with the
Committee on Oversight and Investigations.

If you would like to testify, you must fill out a
testimony slip with one of the Sergeant-at-Arms in
the back of the room. You may also submit testimony
at testimony@council.nyc.gov.

At this time, please silence all electronic
devices, and no one may approach the dais. Chairs,
we are ready to begin.

CHAIRPERSON SCHULMAN: Thank you. Good at-
[GAVEL] good afternoon. I am Council Member Lynn
Schulman, Chair of the New York City Council's
Committee on Health. I want to thank everyone for
being here at today's oversight hearing on child care
background program background checks. Before we
begin, I would like to recognize the following

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1 council members who are here: uh, my Co-Chair Council
2 Member Gutiérrez, Council Members Zhuang, Council
3 Member Carr, and that's it for now.

4 The background check process for employees at
5 child care facilities is extensive and thorough, as
6 it should be. We trust these facilities to care for
7 and protect some of our most vulnerable New Yorkers,
8 and it is our duty as a city to ensure they are safe
9 in their care.

10 Currently, each prospective employee at a child
11 care facility must submit themselves to a state
12 criminal history check, an FBI criminal history
13 check, a state child abuse and maltreatment registry,
14 screening, a state sex offender registry check, and a
15 national sex offender registry check.

16 While such rigorous screenings are necessary,
17 this process can create backlogs and confusion over
18 which agency is responsible for each part of the
19 process. If our city's goal is universal child care,
20 then we must ensure that the Administration of that
21 care, including the background check process, is as
streamlined as possible and that new facilities and
employees don't get held up in red tape. We must
also ensure the relevant city agencies have the

1 necessary bandwidth to complete these background
2 checks and screenings in a timely manner.

3 Unfortunately, it appears that DOHMH has struggled to
4 keep up since the implementation of these
5 comprehensive background checks.

6 In 2019, the backlog stretched into the tens of
7 thousands, and in 2023, 83% of child care providers
8 reported staffing vacancies. These backlogs have
9 tangible, costly, and sometimes disastrous
10 consequences. For example, the Lightbridge Academy
11 in Greenpoint, Brooklyn had space to serve up to 170
12 children and their families. They had to close in
13 August 2023 due to a lack of cleared staff.

14 At that time, prospective staff had been waiting
15 nearly 5 months for clearance. This is not how city
16 government should operate. I look forward to hearing
17 from the Administration about any progress made on
18 this issue since our last oversight hearing on this
19 topic in 2023. As we work towards solutions that
20 ensure the safety of our children and that each child
21 and their family has access to the child care
services they deserve.

We will also be hearing the following
legislation. There are a bunch of things, so just

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1 be— be patient. The first 2 bills, Introduction
2 Number 15 by Majority Leader Shaun Abreu and
3 Introduction Number 135 by Council Member Tiffany
4 Cabán, directly address child care inspections
5 emergency closures, and the background check backlog.

6 Majority Leader Abreu's bill, Intro 15, would
7 prohibit DOHMH from requiring a prospective child
8 care provider, employee, or volunteer to complete a
9 background check if they have already done so in the
10 past 5 years and were employed by a child care
11 provider in the city for more than 180 consecutive
12 days in that time span.

13 The back— the background check process is robust
14 enough that we shouldn't bog providers down
15 double-checking our work. This bill will free up
16 DOHMH to conduct background checks on those who
17 really require one.

18 Council member Cabán's bill, Intro 135, tackles a
19 related issue, ensuring that the city is adequately
20 protecting the welfare of our city's children. It
21 would require DOHMH, upon issuing an order to close a
child care center due to it being operated in such a
manner that it may give rise to an imminent health
hazard, to provide a copy of the closing order to

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1
2 parents or other persons who arrive at the child care
3 center and to post a copy on the child care center's
4 door. It would also require DOHMH to post a summary
5 of child care service inspection reports no later
6 than 24 hours following an inspection. Parents
7 deserve to be informed when the safety of their
8 children may be at risk.

9 This bill would enhance transparency and ensure
10 no parent is left in the dark. We will also be
11 hearing Introduction Number 831 by Council Member
12 Frank Morano, which would enhance the amount of leave
13 an employee in New York City is entitled to should
14 they donate bone marrow or undergo a medical
15 procedure to make a living organ donation.

16 Finally, we will be hearing 3 resolutions, all
17 sponsored by myself. The first resolution, number
18 427, calls on the New York State Assembly to pass,
19 the governor to sign the New York Affordable Drug
20 Manufacturing Act. The bill has already passed in
21 the state Senate. As we all know, the price for many
generic prescription drugs like insulin is far too
high.

This state bill would direct the state
Commissioner of Health to create partnerships such as

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1 with nonprofit drug manufacturers to increase
2 competition, lower prices, and address shortages,
3 making drugs more affordable. The next two
4 resolutions are on the topic of vaccines.
5 Preconsidered Resolution 1612 calls on the State
6 Assembly to pass A3839 and for the governor to sign
7 S5852 and A3839. S- uh, S5852 has already passed in
8 the State Senate. This bill would require insurers
9 to reimburse the total direct and indirect practice
10 expenses associated with vaccine- vaccinations.
11 According to the American Academy of Pediatrics,
12 vaccines are the second highest expense for many
13 pediatric practices behind only payroll. We must
14 ensure that these vital health care providers are not
15 burdened for providing such crucial service,
16 especially in a time where vaccine rates are already
17 declining.

18 Resolution number 425 calls on the State Assembly
19 to pass and the governor to sign 3 pieces of
20 legislature which require vaccines to be regulated,
21 recommended, administered, and insured based on the
recommendations of nationally and internationally
recognized health care organizations, not just the
Federal Advisory Committee on Immunization Practices,

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1 or ACIP, the CDC's Independent Board of facts— of
2 Vaccine Experts. All 3 bills have passed the State
3 Senate. The recent court decision which temporarily
4 blocked the CDC's new vaccine schedule and found that
5 Health and Human Services Secretary Robert F. Kennedy
6 Jr. did not follow federal legal procedures when
7 replacing the numbers of the— when replacing the
8 members, sorry, of the ACIP is a win for public
9 health, but we must reinforce our state's commitment
10 to promoting evidence-based vaccine schedules.

11 New York's vaccine regulations and requirements
12 can no longer be tied to the CDC's recommendations.
13 These state bills must pass. And by the way, the— I
14 saw that the government is actually withholding a
15 report that came out showing the efficacy of the, uh,
16 COVID vaccine. Um, so, uh, that just happened I
17 think yesterday or today.

18 I look forward to discussing the legislation with
19 the Administration. I now— before I turn it over to
20 Chair Gutiérrez, I wanna acknowledge we've been
21 joined by, uh, Council Members Epstein, Ung, and
online by Council Member Morano. I now turn it over
to Chair Gutiérrez to deliver— to deliver her opening
remarks.

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CHAIRPERSON GUTIÉRREZ: Thank you, Chair
Schulman. It is a delight to Co-Chair a hearing with
you, especially on the topic that you've covered
multiple times, um, and that you are such a great
advocate for.

Good afternoon, everyone. I'm Council Member
Gutiérrez, Chair of the Subcommittee on Early
Childhood Education. We're excited to join, uh, the
Committee on Health and Committee on Oversight and
Investigations and their Chairs, Chair Schulman and
Krishnan, for today's oversight hearing on child care
program background checks. Um, just last week— I
mean, you were here, so many of you were here, thank
you again. Um, but last week, just last week, I
Co-Chaired a hearing on the immediate and critical
need for early education teachers. But even if the
5,000 or so qualified New Yorkers showed up today
ready to work, AKA how many we will need each year to
fill the demand, we need to make sure our system is
ready to process them and approve them as fast as
possible.

Background checks are a critical safety
requirement in most jobs, but especially, especially
when it comes to safeguarding young children. Yet

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1 the current process has felt burdensome rather than
2 an important step in safety. State, federal, and
3 city requirements are layered on top of one another
4 in ways that are not always well-coordinated.
5 Agencies seem to not always be coordinating,
6 resulting in duplicative processes and delays. We
7 should be leveraging technology to better align these
8 systems, reduce redundancy, and create a more
9 streamlined and transparent parent path to
10 compliance.

11 Let's use a real example. An education director
12 completed fingerprinting in January 2024 as a
13 director at a site in East Harlem and had receipts to
14 prove it. Yet when she was submitted for a new
15 position in September of 2024 in my district, those
16 records could not be located or used. There was no
17 communication until October, and only after repeated
18 follow-ups from their team and my office, when she
19 was told that the fingerprints had been lost. She
20 immediately redid the fingerprints, resetting the
21 clock entirely. What should have taken weeks
stretched into months with unclear handoffs between
agencies and no defined timeline or accountability.

1
2 Ultimately, the delay was so prolonged that the
3 candidate left the job altogether end of November,
4 still not cleared, further delaying the center's
5 reopening and impacting dozens of families.
6 Providers at another location were told an
7 application was out of compliance with Article 47
8 from the state rules, because those rules had
9 changed. There was no formal rule change or guidance
10 explaining the shift. My office also got conflicting
11 information from both the city and the state on this
12 rule change. This point of clarity took months to
13 clear up.

14 Under federal law, any staff member who works in
15 one of the city's 10,800 licensed or registered child
16 care programs must complete a comprehensive
17 background check every 5 years. The comprehensive
18 background check process includes 2 federal checks of
19 the FBI fingerprint and sex offender registries and 3
20 state checks of the criminal history, sex offender,
21 and child abuse registries, as well as 3 more
interstate checks of the same state registries in any
state where a provider lived during the previous 5
years. All of these checks are meant to screen out
people with a history of crimes like child abuse,

1 assault, or endangerment. But these comprehensive
2 checks can lead to long wait times, and child care
3 providers have often noted that these background
4 checks are more lengthy than the requirements for
5 being hired at a DOE school, which are just 2
6 fingerprinting checks.

7 Nonetheless, it is important for the city to work
8 efficiently to take into account the different legal
9 requirements for background checks and make sure
10 child care providers do not suffer because of the
11 policy choices. We applaud the changes DOHMH has
12 recently implemented to reduce wait times for
13 providers, like automating the processing system and
14 creating an online portal. However, even though
15 DOHMH has reported that the average wait time for a
16 check was 36 days, providers have testified to the
17 Subcommittee that background checks can take more
18 than 3 months. We heard from them last week.

19 If the city is looking to implement a universal
20 child care system, it will mean hiring a lot more
21 child care workers over the next several years. So
today we will pull apart how to speed up this
critical process. I also want to acknowledge the
Department of Investigation who couldn't join us

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1 today. While their role may be, in their words,
2 minimal in this process, it is consequential. This
3 Committee looks forward to further conversations with
4 them to improve processes. Thank you to the members
5 of the Subcommittee who have joined us. Um, I would
6 like to thank the Subcommittee staff, Julia
7 Goldsmith-Pinkham, Katie Salina, Grace Amato, Andrew
8 Lane-Lawless, and Margaret Barnsley, as well as my
9 own staff, Anya Lair, Frank Hulka, and Ella Lau, for
10 their work on today's hearing. Thank you, Chair-
Chair Schulman. I turn it back to you.

11 CHAIRPERSON SCHULMAN: Thank you. I wanna, um,
12 before I- we go on, I want to acknowledge we've been
13 joined online by Council Member Ariola. Uh, in
14 person by Council Member Lee, Williams, Riley, and
15 Joseph. Um, okay, um, Council Member Morano, do you
16 want to give, um, brief opening remarks about your
legislation, because we have quorum in- for one of
the Committees?

17 SERGEANT AT ARMS: Council Member Morano just
18 stepped away. He'll be back in about 2 minutes
19 Council Member.

20 CHAIRPERSON SCHULMAN: Um, we have to move on, so
21 we'll get to him, um, in a, in a little bit. Um, I

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1 will now turn it over to Committee Counsel to
2 administer the oath to members of the Administration.

3 COMMITTEE COUNSEL: Good afternoon. Uh, do you
4 affirm to tell the truth, the whole truth, and
5 nothing but the truth before this Committee and to
6 respond honestly to Council Member questions? You
may begin.

7 CHAIRPERSON SCHULMAN: Thank you.

8 EMMY LISS: Um, good afternoon, Chair Gutiérrez,
9 Chair Schulman, members of the Committees on Health
10 and Oversight and Investigations and the Subcommittee
11 on Early Childhood Education and all other Council
Members.

12 My name is Emmy Liss, and I am the Executive
13 Director of the Mayor's Office of Child Care and
14 Early Childhood Education. I'm joined today by
15 members of my team and colleagues from the New York
16 City Health Department. Thank you for giving us the
17 opportunity to testify before you today. Child care
18 is an essential component of the Mamdani
19 Administration's agenda. We believe that every child
20 under 5 should have access to free, high-quality care
21 delivered in a range of culturally competent care

1 settings with educators who are properly trained and
2 respected.

3 On just day 8 of this Administration, the Mayor
4 stood with the Governor as she committed over \$1.2
5 billion in new funding to expand access to child
6 care. With this new funding, the city is expanding
7 and strengthening the 3K program to ensure every
8 family has access to an option close to home. And we
9 are launching 2K, the city's first universal child
10 care program for 2-year-olds. 2K will serve about
11 2,000 children this fall about 12,000 children in
12 fall 2027, and every 2-year-old that wants to
13 participate by the end of the Mayor's first term.

14 When families entrust their children to the care
15 and supervision of a child care provider, nothing is
16 more important than their health and safety. Parents
17 need the confidence that when their child is in
18 someone else's care, they will be supported,
19 nurtured, and cared for.

20 Every day, the New York City Health Department
21 works tirelessly to ensure that the physical spaces
they are cared for in are developmentally appropriate
and safe, and to verify that all the staff who engage

1 with children, no matter their role, are properly
2 vetted and background checked.

3 As we continue to expand access to care in the
4 city, we are committed to doing so in a manner that
5 ensures all programs meet a rigorous and high bar for
6 health and safety. We are also committed to
7 continuously improving our city processes to make it
8 easier for child care providers to open, operate, and
9 sustain their businesses. That's why we launched the
10 child care permitting portal last month. So that
11 providers can now apply for a permit online and
12 easily upload their documents and materials rather
13 than sending dozens of individual emails or visiting
14 staff in person.

15 In just a few moments after I finish testimony, I
16 will pass to my colleague, Aaron Yarbrough, Chief
17 Digital Strategist in the Mayor's Office of Child
18 Care and Early Childhood Education, to briefly walk
19 through the permitting portal.

20 When it comes to staff background checks, we will
21 never waver in our commitment to ensuring that any
adults who who works in a child care setting is
vetted and cleared to be there. At the same time, we
recognize that there is always opportunity to

1 strengthen our city processes to ensure they more
2 effectively meet provider need. The Mayor's Office
3 of Child Care and Early Childhood Education will play
4 an important role as we move forward to ensure that
5 all of the city agencies working in child care are
6 coordinated and aligned, and that all agencies have
7 the resources they need meet our Administration's
8 ambitious goals.

9 We already work closely with the Health
10 Department and will continue to do so to ensure they
11 are properly staffed and supported to oversee the
12 health and safety of all of our child care programs.
13 Thank you for the time to testify today. I will now
14 pass to my colleague Aaron to walk through the
15 permitting portal and then to Commis- Deputy
16 Commissioner Corinne Schiff, who can speak more to
17 the day-to-day details of the Health Department's
18 work and to the Administration's position on the
19 legislation being considered today.

20 AARON YARBROUGH: Can you hear me? Good
21 afternoon, Council Members. Again, my name is Aaron
Yarbrough. I'm the Chief Digital Strategist here at
the Mayor's Office of Child Care, and I am delighted
to walk you through the child care permitting portal.

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1
2 Um, we have— I believe if we can bring up the screen
3 here, you also have the good old handouts. Um, and
4 we wanted to give you an actual, um, sort of visual
5 of what the providers will see. The providers were
6 very instrumental in designing this. We have a lot—
7 we got our requirements from Department of Health,
8 um, but we also included the providers in that
9 requirements process because they are one of the
10 users of this portal. They are also— providers
11 joined us for what we call user acceptance testing to
12 make sure it really was going to meet and give them
13 business value because that is our goal here, is to
14 give the providers and the DOH workers business
15 value.

16 So you'll see the— this is the landing page.
17 This is what you will see. You can see it on
18 mycity.gov, but also providers, when they make their
19 initial payment for a prelim, uh, group daycare
20 center, they will receive an email with an invitation
21 coming right into this portal to continue with their
digital application process. This is what they will
see. We can go to the next slide or the next page.

This is what they'll see once they log in. Uh,
we understand how many government systems there are

1 and they all have their own logins and they all have
2 their own things. We don't like that either. This
3 is the same login they use to make their payments,
4 um, for the child care. We really wanted to make it
5 easier for providers, especially smaller providers
6 who may not have all these, you know, the IT staff to
7 keep track of all of their various passwords to use
8 the exact same credentials that will bring them right
9 in to this landing page.

10 Um, you can see one thing right there, action
11 needed. One of the pro- feedback we got from
12 providers really critical is that it is a long
13 application process. There's many steps and it's not
14 always clear, 'cause I think hitherto there was
15 fillable PDFs, there was a lot of email. What are
16 the next steps? I'm just putting myself in a
17 provider sort of mind frame. I'm applying for group
18 daycare. What are the next steps? What we really
19 try to do in this portal is every time there's an
20 action needed from the provider, we highlighted it
21 for them.

So you can go in and see immediately, oh, I see I
need to upload my certificate of occupancy, or oh, I

1 see I need to upload this, you know, my staff
2 credentials.

3 Also, there's very much an email communication
4 whenever we make a status update on this portal. We
5 often email the providers with that status update.
6 So you don't— you can always log in and see your
7 current status of your application and what the next
8 steps are. We're also emailing them automatically.
9 If you go to the next slide.

10 This is, I think, one of the breakthroughs we
11 said is we took a complicated process and broke it
12 down into milestones and this is by provider request.
13 They just want to know what are the steps and what's—
14 what do I need to do for each step. So you'll see
15 here there's site visibility— viability inspection,
16 architectural review, NY site buildings and fire
17 department approvals, program details for everyone.
18 We broke it into milestones. Some of these
19 milestones are concurrent. So we don't like to block
20 them if they can also work on— like, if they're
21 getting their certificate of occupancy, they may be
able to work on other things such as uploading their
staff credentials. Um, so we try to be very fluid
there but this is very much by provider request.

1
2 They wanted to come in and see again, what are
3 the steps, where am I in the step process, and what
4 do I need to do and you'll see examples of here.
5 You'll see one, action needed, step rejected by
6 caseworker. We're trying to be very good with
7 communication because that's what we heard from DOH
8 workers who are very dedicated to this process as
9 well as providers is communication is the hard part,
10 right? When you have a long application process,
11 what do I do next? I need to be very clear about
12 next steps.

13 So we really tried to highlight things. If maybe
14 a document was rejected because it was out of date,
15 we immediately highlight that for the vendor. We
16 alert them. We bring comments over from the DOH
17 worker working on that case so that you have it all
18 in one place and you can move forward. If we can go
19 to the next slide. That's a little blurry. There's
20 better.

21 Again, milestones are broken into steps. So this
is, you know, we just break it down step by step,
milestone by milestone. So this is a further example
of this. Green is the happy path. It's been
completed. If something is pending DOHMH approval,

1 maybe the provider has submitted some paperwork or an
2 architectural document and DOH is reviewing it, then
3 it's— that'll be apparent here as well in the portal.
4 And I'm showing you the provider view. There's an
5 entire DOH worker view, but we're going to show you
6 the provider portal today.

7 You can go to the—

8 CHAIRPERSON SCHULMAN: I just have a quick
9 question. Who ultimately is the overseer of the
10 portal?

11 AARON YARBROUGH: The overseer?

12 CHAIRPERSON SCHULMAN: You know— that gets the
13 information that can— because it goes to different— I
14 know some of it goes to you guys, some of it goes to
15 DOHMH. Like who is the person that's responsible
16 over both?

17 AARON YARBROUGH: Ultimately, DOHMH.

18 CHAIRPERSON SCHULMAN: Okay.

19 AARON YARBROUGH: Yeah.

20 CHAIRPERSON YARBROUGH: Sorry.

21 AARON YARBROUGH: That's okay. Um, scheduling,
that's another pain point we heard from providers.
You have to schedule inspections. You have to
inspect your early childhood education supervisor

1 meetings. There's a lot of meetings. We've all
2 tried to schedule meetings in this room. We all know
3 how fun that can be when there's a lot of people.
4 It's emails back and forth. When are you available?
5 No, I'm not. Oh wait, I gotta move it.

6 So this was a huge pain point and what we did is
7 we have online real-time inspections. If I'm a
8 provider, I'm logging in right now. You'll see this
9 screenshot here. DOHMH workers, in this case the
10 inspector, have already put their availability in.
11 I, as a provider, can just click which ones work for
12 me so I don't have to sort of second-guess. That
13 goes directly to DOHMH and then they'll receive— once
14 it's approved and confirmed, they'll get a
15 confirmation. Providers reacted very positively to
16 this particular feature and so did DOHMH because it
17 takes, you know, scheduling takes two.

18 If we can go to the next slide. Upload document.
19 There's a lot of documents involved in an
20 application. I guess I'm preaching to the choir.
21 Uh, architectural documents, staffing documents, um,
government documents, tax documents, a lot. Um,
hitherto those have been delivered sometimes by
email, sometimes by snail mail, sometimes by

1 SharePoint download. This is a better way to do it.
2 So the portal will tell the provider exactly what
3 documents are needed. You upload them directly into
4 the portal. Those go directly to DOHMH. And there's
5 always a receipt so the provider can look through and
6 see exactly what documents have been submitted and
7 the current status of those documents, if they've
8 been accepted by DOHMH, returned by DOHMH, or in
process of review by DOHMH.

9 If you go to the next slide, please. Chat. Um,
10 I— we heard from DOH workers and providers that the
11 email can get really out of hand because in some
12 cases it's multiple staff of the providers working on
13 an application, and it is almost always multiple
14 staff on DOH working on an application. You send an
15 email to one person, maybe they're out of office,
16 maybe that's not the person, that's not— you meant to
email the inspector, instead you emailed the early
childhood education consultant.

17 So we're bringing them into a chat feature.
18 We're encouraging the use of chat. Basically the
19 entire communication realm, everyone in the
20 application that's assigned to this application at
DOHMH has access to the chat. So you don't have to

1 worry about, oh, did I send it to the wrong person?

2 You sent it to DOHMH. Everyone who is assigned to
3 your particular application has access to the chat.

4 So what we have here is one complete record of all
5 the communication for every application that goes in.
6 This is much better than scrolling through emails
7 trying to figure out who you sent it to and did you
8 include the right person.

9 So this is a feature also requested by and very
10 much, um, anticipated by the providers. We go to the
11 background check. Ah, there we go. So as you— I've
12 already known, I'm not gonna be more testimony about
13 the background check system. Providers can go in,
14 they go online, they enter the staff that they need
15 cleared, and there's various process. There was not
16 until this provider portal a place where provider can
17 go like, I wanna see everyone I've submitted for
18 background check. I wanna— I don't just go to one by
19 one. Everyone associated with this particular
20 application from, from your education director to
21 your food service worker, all— everyone there, I want
to know what the current background check status is.
So you can see that here. We created a background
check dashboard. This is in— updated in almost real

1 time, like every 5 minutes or so, with a background
2 check system. And so that providers can go and
3 actually manage not just one by one what the
4 clearance is, but see all in one place everyone
5 submitted, what is their current background check
6 status. Um, this is also a requ— a feature requested
7 by providers that we have been able to deliver.

8 Can we go to the next slide? Just back to the
9 beginning. So that's a very brief overview. I will
10 say a few points that, uh, this portal is integrated
11 with other important city systems. There's this
12 thing called CCATS, which you may be familiar with.
13 That is the system of record of DOHMH. This is not
14 replacing CCATS. CCATS remains the system of record.
15 What this is, is a front portal for the providers and
16 in many cases the workers to work, but it is
17 integrated with CCATS. We do not want, as much as
18 possible, providers having to worry about which
19 system do I put it in, and same with workers. We
20 don't want to, you know, workers to put it— this in
21 system 1 and this in system 2.

19 So it is integrated with that CCATS systems, but
20 it is important to note that it is not replacing
21 CCATS and CCATS remains the system of record. Same

1 with the background check. As you saw, it was
2 integrated with the background check system but it is
3 not replacing it. Um, and, you know, from the user
4 perspective, we want to make it as seamless as
5 possible. So what we do like to do is instead of—
6 and then having 4 operable systems, you have to log
7 into each one— have the systems talk to each other,
8 you know, have, have all the information in one place
9 and that's what we tried to deliver here. Thank you.

10 CHAIRPERSON SCHULMAN: Thank you very much. And
11 before, before we get to the Deputy Commissioner, I
12 just want to commend you for putting this together so
13 quickly for us to see. Um, it's very impressive,
14 and, um, we appreciate— Emmy, I know you're new and,
15 you know, in this role, but, um, we appreciate
16 everything you guys are trying to do to make this
17 process easier for our kids.

18 So, um, with that, I'm going to ask, um,
19 commission— uh, Commissioner.

20 CORINNE SCHIFF: Thank you. Uh, good afternoon,
21 Chair Schulman, Chair Krishnan, Chair Gutiérrez and
members of the Committees on Health, Oversight and
Investigations, and the Subcommittee on Early
Childhood Education.

1
2 I'm Corinne Schiff, Deputy Commissioner for
3 Environmental Health at the New York City Health
4 Department. On behalf of Commissioner Martin, thank
5 you for the opportunity to testify today on our work
6 to promote safe, quality child care.

7 The Health Department is charged with prom-
8 protecting and promoting the health of all New
9 Yorkers. One of our critical responsibilities is
10 oversight of child care programs. The department
11 regulates child care centers, programs that serve
12 children under age 6 in standalone commercial
13 locations, and school-based child care programs which
14 serve children ages 3 to 5 in a school with upper
15 grades.

16 New York State regulates home-based child care,
17 which serves children 6 weeks to 12 years old in a
18 residential setting, and school-age child care, which
19 operates in non-residential settings to care for
20 children in school ages 5 to 13, after school, and
21 during school breaks.

22 The Health Department holds a contract with New
23 York State to conduct some aspects of the licensing
24 and background check processes and to inspect. Safe,
25 quality child care sets children up for a lifetime of

1 positive health outcomes, and New York City has some
2 of the strongest and most protective health and
3 safety requirements in the country.

4 Mayor Mamdani has been clear that maintaining New
5 York City's high health and safety standards is a key
6 component of the city's universal child care plan.
7 Every provider who applies to open a child care
8 center in New York City undergoes a rigorous vetting
9 process, and once the program is operating, the
10 Health Department conducts unannounced inspections to
11 promote compliance with health and safety mandates.
12 We make inspection results available on our website,
13 Child Care Connect and provide recent inspection
14 history and other information on a performance
15 summary card posted at the program entrance.

16 The Department's work on background clearances is
17 the subject of today's oversight inquiry and of
18 Introduction 15. Since 2019, the Health Department
19 conducts a comprehensive background clearance for
20 anyone working in a child care program who may have
21 contact with children. Federal law requires us to
process the clearance application within 45 days.
And I'm pleased to report that after years of
extensive backlogs, our median processing time is now

1
2 below the 45-day mandate. We continue to upgrade our
3 technology to improve efficiency and anticipate
4 further improvements in our turnaround time. Some
5 applications take longer than 45 days, including for
6 reasons outside of the department's control, such as
7 when we must request clearance information from
8 another state and do not receive a timely response.

9 Turning to Introduction 15, it would prohibit the
10 Health Department from repeating a background check
11 except where the law requires it. The Department
12 already conducts a renewed background check only when
13 required by law and would like to discuss with
14 Council the concerns this bill aims to address.

15 Introduction 135 would require the Department to
16 post summary inspection reports on our website site
17 within 24 hours, post closure orders at the entrance
18 to the child care program, and provide the closure
19 order to parents or caregivers. The Department
20 already posts summary inspection reports on our Child
21 Care Connect website. Our inspection system uploads
these reports overnight and they appear the next day.

Regarding closure, the vast majority of the
city's child care providers offer safe and loving
environments for children. There are times, however,

1 when we identify programs operating unsafely. In
2 those cases, we require the program to close, correct
3 the deficiencies, and update their protocols. Only
4 after the program demonstrates to us that it can
5 operate safely do we authorize reopening.

6 We know this closure can create a hardship for
7 families, and we do not take this step lightly. As
8 part of the closure process, we require the provider
9 to post the closure order at the program entrance and
10 distribute closure information to families. We would
11 like to work with the Council regarding the best way
12 for the Department to provide closure information
13 directly to families. Thank you for the opportunity
14 to testify. I'm happy to take questions.

15 CHAIRPERSON SCHULMAN: Okay, thank you very much.
16 Um, a couple of things before we get to questions.
17 One, we've been joined by Council Members Felder,
18 Brewer, and, um, I also wanna turn it over to our
19 other Co-Chair, uh, Chair Krishnan, who's the Chair
20 of the Oversight and Investigations Committee, for
21 his opening remarks.

CHAIRPERSON KRISHNAN: Good afternoon. Thank you
so much, Chairs Schulman and Gutiérrez. It is an
honor to partner with you all for today's hearing on

1 a critically important issue for our city. I'm
2 Council Member Shekhar Krishnan, Chair of the
3 Council's Committee on Oversight and Investigations,
4 which provides oversight of the city's Department of
5 Investigation, or DOI.

6 I would like to thank Health Committee Chair
7 Schulman and Subcommittee on Early Childhood
8 Education Chair Gutiérrez for Co-Chairing today's
9 important hearing on child care program background
10 checks. Thanks as well to the representatives of the
11 Administration, advocates, and members of the public
12 for attending today's oversight hearing.

13 As a parent of two young children, I know how
14 important our city's child care providers are for
15 working families. In fact, before I was on the
16 Council and a parent of, of two much smaller
17 children, I myself had to work with neighborhood
18 parents to try to keep a daycare center open in our
19 neighborhood that was closing down, uh, by Elmhurst
20 Hospital. And I learned through that before doing
21 this work just how difficult the child care, uh,
background approval process is because both— all the
parents and I were trying to work together to both
keep the daycare center open, but also try to find,

1 uh, alternative placements for the child care staff
2 who were there, who were beloved. Uh, but one of the
3 challenges that we saw was how long the background
4 check process can be and how that impacts their
5 ability to secure jobs afterwards too, in the event
6 of a child care, uh, center closure, which should
7 never be happening, but that's what it is.

8 Our child care providers are critical— are
9 critical to the function of this city, allowing
10 parents to go to work, knowing there are people
11 taking care of their children like their own. But
12 this trust only comes after rigorous background
13 checks and screenings of these workers. Our trust in
14 child care workers is trust in the city agencies that
15 make the system run.

16 We count on our city agencies to vet the
17 providers who look after our children all day, to be
18 thorough, fast, and effi— efficient. I'm proud that
19 with a new City Hall, child care has become a
20 priority. And as we see an increase in child care
21 seats, we need to make sure we have adequate staffing
and support to fill those seats. Too many child care
providers report costly fees, more expensive than
getting your driver's license, and extensive delays

1
2 in the processing of their staff's background checks,
3 limiting their ability to provide families with
4 essential care, and in some cases being forced to
5 close daycares, as I personally learned about, uh,
uh, 8 years ago.

6 Today we will learn what are city agencies doing
7 to make the fingerprinting process more efficient.
8 Are agencies prepared to take the task of expanding
9 child care seriously, creating a pathway for
10 affordable and fast fingerprinting and background
11 checks for child care workers? We are demanding that
12 our city agencies take the crisis of child care
13 seriously, as I know they do, ensuring fast and
thorough services. The devil is always in the
details.

14 We cannot let red tape get in the way of this
15 urgent need for affordable, affordable child care.
16 We must do all we can to support working families,
17 keep daycares open and thriving, and end the steep
fees for child care workers to do their jobs.

18 Before we begin, I'd like to thank the staff from
19 my office and the Committee on Oversight and
20 Investigations for their work prepping for today's
21 hearing: Senior Legislative Counsel Nicole Cata,

1 Policy Analyst Erica Cohen, Policy Analyst Alex
2 Yablon, Chief of Staff Chanel Martinez, Legislative
3 and Budget Director Hunter de Venegracia, and
4 Communications Director Victoria Opperman. I will
5 now turn it back to Chair Schulman, and look forward
6 to a very informative hearing today. Thank you.

7 CHAIRPERSON SCHULMAN: Thank you, Chair Krishnan.
8 I'm now going to ask, um, Council Member Morano to
9 make a brief statement on his legislation.

10 COUNCIL MEMBER MORANO: Thank you, Chair
11 Schulman. I appreciate your leadership, uh, Chairing
12 this hearing and for your passion for health issues
13 in general, uh, not just, uh, Chairing this Committee
14 but literally your entire career in government. C

15 I want to thank the Committee and Chair and the
16 Speaker for, uh, your willingness to hear Intro 831
17 today. This is, uh, this bill is a new version of a
18 bill that, uh, some folks in the Administration and
19 in the, uh, labor movement had raised a couple of
20 objections with, with respect to collective
21 bargaining. I think this version of the bill is
largely clear of any of those pitfalls.

In general, the bill is about something very
simple but very important. Removing a barrier for

1 people who are willing to save someone else's life.

2 Right now, there are thousands of people, including
3 many New Yorkers, waiting for organ transplants.

4 Many of them are on dialysis, sometimes for years,
5 hoping for a second chance, hoping for more time with
6 their families.

7 At the same time, there are people willing to
8 step up to donate a kidney, part of their liver, or
9 bone marrow, but they hesitate for one very practical
10 reason: they can't afford to take time off from work.

11 That's the problem we're trying to solve. Intro 831
12 ensures that workers across New York City have
13 job-protected time off if they choose to become a
14 living organ or bone marrow donor, up to 20 days for
15 organ donation and 5 days for bone marrow, which is
16 what the health guidelines, uh, recommend. And just
17 as importantly, it establishes a pathway for the the
18 city to provide wage replacement so that people are
19 not financially penalized for doing something
20 extraordinary. Because in plain English, this is
21 what it comes down to: if you're willing to go
through surgery to save someone's life, you shouldn't
have to worry about losing your paycheck. This bill
recognizes something fundamental: that the biggest

1 barrier to organ donation is often not willingness,
2 it's reality. It's time off work, it's recovery,
3 it's making rent, it's supporting your family. This
4 legislation is about removing that barrier so more
5 people can step up. And I'll tell you, uh, the issue
6 is very personal for me because for years, first on
7 the radio and now as a Council Member, I've heard
8 from people waiting for transplants, people stuck on
9 dialysis, people hoping for, for that call that could
10 change everything. And I've also seen what happens
11 when that call comes.

12 A close friend of mine received, ah, a liver
13 transplant about a decade ago. Transplant gave him
14 10 more years of life, 10 more years with his family,
15 10 more years with his friends, 10- that time that
16 meant just everything and that's what organ donation
17 does. It gives people time. It gives families
18 memories that they otherwise wouldn't have.

19 This bill, uh, has evolved through the
20 legislative process, and I appreciate the input from
21 the Administration and from my colleagues and from
the labor stakeholders. Uh, I think the version
before you today, reflects a thoughtful citywide
approach that expands protections to workers beyond

1 the city workforce while addressing the concerns that
2 were raised with respect to collective bargaining.

3 It sets a baseline right to leave, it protects
4 workers from retaliation, and it ensures that this
5 benefit can't simply be waived away without something
6 comparable in place.

7 At the end of the day, it's not a partisan issue,
8 it's not an ideological issue, it's a human issue.
9 It's about whether we as a city are going to stand
10 behind people who are willing to do something
11 selfless and sometimes something life-saving. And
12 it's about making sure that doing the right thing
13 doesn't come with a financial penalty.

14 I urge my colleagues and the public to support
15 Intro 831. I thank the Committee sincerely for, uh,
16 its consideration of this bill today. Thank you,
17 Chair.

18 CHAIRPERSON SCHULMAN: Thank you, Council Member
19 Morano. Uh, we will now move to the Q&A portion of
20 this this hearing. Um, right before we do that, I
21 just- I wanna thank the Health Committee staff, um,
Josh Newman and, um, Elizabeth Arzt and Chris Pepe,
who's not here today, the Committee Counsel, and my
staff counsel, uh, my Chief of Staff, Jonathan

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1 Boucher, uh, Kevin McAleer, my legislative and budget
2 director, and my comms director, Sammy New.

3 So, um, I wanna start off with, uh, DOHMH. Um,
4 how has the background check process at DOHMH changed
5 since we last had a hearing on this topic in 2023?
6 And can you walk me through the process step by step?

7 CORINNE SCHIFF: Yes, thank you, Chair. Uh,
8 when we met in 2023, I think— I believe we had only
9 recently launched our online portal, and it's really
10 been a dramatic change since then. And so many of
11 the, uh, the stories that, that you have all told in
12 your opening comments, I think we have move beyond a
13 lot of those issues.

14 Um, so since that time, we now have a staff of,
15 uh, 60, uh, who work solely on background clearances
16 in addition to, um, uh, other staff who have, uh,
17 other roles but who spend some of their time on
18 background clearances. And most importantly, we have
19 an online portal, um, so that providers can enter
20 their background clearances into this portal rather
21 than sending us applications by email.

During that period when we were first given this
federal mandate in 2019, we were taking in
applications by email and literally our, our computer

1 systems were, were crashing under the weight of
2 those. We launched that system in May 2023, um, and
3 have— things have dramatically improved.

4 So the process is that a person who, uh, will be
5 working with children in child care do two things.
6 They enter their information into our portal, which,
7 like the, uh, provider portal that, ah, er,
8 demonstrated, was designed with input from providers
9 and user testing with providers at the time that we
10 launched a couple of years ago. And you also go to,
um, get your fingerprints taken.

11 Another change that was made a couple of years
12 ago is rather than having to go to DOI to get
13 fingerprints, the city entered into a partnership
14 with a private fingerprint provider which has offices
15 all over the region. They have long hours, they are
16 open on the weekends, so that was a big convenience
for people to be able to get those fingerprints
taken.

17 Um, once those fingerprints have been cleared,
18 um, that person is then able to begin working at the
19 program under the supervision of a fully cleared
20 person. So they don't have to wait until the entire
21

1 process has been completed. They can get started
2 working.

3 Meantime, we go through all of the other
4 clearances, uh, the men— you, you cited those, um, in
5 your opening, um, comments. Like the portal that
6 Aaron demonstrated, providers— the applicant has a,
7 ah, an identification number they can type in to
8 check the status of that— of the process. Once those
9 clearances come through, we send a letter to them and
10 to the provider and they can begin working without
that, uh, without that supervision.

11 CHAIRPERSON SCHULMAN: How much of a backlog
exists now?

12 CORINNE SCHIFF: So, um, our median processing
13 time right now is, uh, about 30 days. There are, uh,
14 there's some seasonality to the application, so
15 there's a kind of, um, peaks to that. So we have had
16 a, a median processing time as low as 20 days, and
17 we're sort of on the downward, uh, slope right now.
18 So we think that processing time will, will, um, get
19 back to that 20-day mark. Um, there are applications
20 that are above 45 days. Our system doesn't allow us
21 to easily tease out what applications are pending
with us solely because of our work, as opposed to we

1 are waiting on an outside state to give us
2 information back.

3 So at any given time, we've got about 500
4 applications, um, that are beyond the 45-day mark.
5 But those are for a variety of reasons. Some are
6 with us, uh, we are, you know, we're still continuing
7 to make improvements in our turnaround times, as I
8 said. But many of them are because we are waiting
9 for results from out of state, a person who has
10 worked out of state in the prior 5 years. Uh, we
11 need to check those other state, ah, clearance
12 information. Sometimes it takes us longer to get
13 information back from the state central registry than
14 other times, so that can, uh, cause a longer time
15 period for processing. There are times when
16 providers, uh, the applicant has made typos in the
17 application, and so that is something we need to have
18 them correct.

19 We've just recently, about, maybe just a couple
20 of weeks ago, did an upgrade to the system system to
21 have people reenter certain information, which is a
common thing that you see in applications. So that
will cut down on typos. Um, so those are some of the

1 reasons but at any given time, that's about how many
2 we have that are beyond the 45-day mark.

3 CHAIRPERSON SCHULMAN: And, um, do you have
4 plans— and, ah, er, ah, do you have plans in terms of
5 lowering those 500? I mean, 500 is a lot.

6 CORINNE SCHIFF: We are continuing to make
7 upgrades to the, uh, to the, ah, portal. So in all
8 of the new releases, there are, there are upgrades
9 that we make that will improve our efficiency. As I
10 said, some of those are outside of our control, and
11 some of those things we are not able to, to change.
12 But we are always looking to see where are there,
13 where are there places where we can, um, speed up
14 some of those processing times.

15 I'll say that when there is a situation where,
16 um, a program is dependent on that clearance in order
17 to operate, say they have an education director that
18 is a, that is a key staff person that you need to be
19 able to operate, if we have an, if they are waiting
20 for that clearance, we will handhold that application
21 and do everything we can to get that through the
system faster. So we do maintain constant contact
with, uh, with providers, and we try to move those

1 through as fast as possible. Some of it is outside
2 of our control.

3 CHAIRPERSON SCHULMAN: And that portal is
4 separate from the portal that we just saw? So
5 they're two separate portals?

6 CORINNE SCHIFF: It is, it is. And you saw where
7 Aaron pointed out, uh, one of the screenshots where
8 there is integration, but they are separate.

9 CHAIRPERSON SCHULMAN: Okay and the integration—
10 I mean, I know it's new, so we'll keep an eye in
11 terms of it working and maybe enhancing the
12 integration and all of that. Okay. Um, hmm, does
13 DOHMH process background checks on behalf of OCFS for
14 state-regulated providers?

15 CORINNE SCHIFF: So our contract with OCFS, the
16 Office of Children and Family Services, does include,
17 ah, us processing parts of the background clearance
18 for the state-regulated providers.

19 CHAIRPERSON SCHULMAN: Okay. How many background
20 check applications across all child care program
21 types are currently pending at DOHMH?

CORINNE SCHIFF: So I can share the city-side
information. We're happy to talk to OCFS to, um, see
if they will share the data for the state-regulated

1 programs. Um, at any given time, we get about 3,000
2 applications a month. Uh, some months are, are
3 busier, so in September, for example, we, we took in
4 4,200 applications. Um, and right now our median
5 processing time is, is about 30 days. Sometimes it's
6 20 days. So it, this is a, it is a dynamic, um, uh,
7 er, ah, number, but you can get a sense of what we
8 are, what our, what our docket is at any given time.

9 CHAIRPERSON SCHULMAN: Do you have, is there
10 someone that can be spoken to by a provider if they
11 have a problem or there's a glitch or like an
12 ombudsman type person?

13 CORINNE SCHIFF: Yes. So there's— there are two
14 ways that providers can be in touch with us. Um, the
15 providers have contacts at our borough offices, and
16 they're in pretty regular contact, uh, with the
17 borough offices. But we also have, uh, an, an email
18 inbox that is monitored by several people and is
19 actively, uh, where we actively respond to inquiries.

20 CHAIRPERSON SCHULMAN: And providers have that
21 information?

22 CORINNE SCHIFF: Providers have that. And we
23 have a— we, we've— something we started, um, maybe a
24 year or two ago is we, we not only send out regular

1 emails to providers with new information, but we've
2 also been doing a monthly roundup of all of the
3 information that's gone out that month. And we've
4 gotten really good feedback about that. So that's
5 another place where they're, they're constantly
6 hearing from us and getting that contact information.
7 And those phone numbers, of course, always live on
8 our website. So if they don't have that, they know
9 to go there.

9 CHAIRPERSON SCHULMAN: Is that something that can
10 be added to your portal? Okay. That would be great.
11 Okay. Thank you. Um, how many— oh, I'm sorry. What
12 are the primary drivers of delays in background check
13 processing, staffing, fingerprinting, bottlenecks,
14 interagency coordination? I mean, you sort of
15 mentioned it, but, um—

15 CORINNE SCHIFF: Yeah, yeah. I mean, for the
16 most part, you know, for, for a sort of healthy
17 application, you could say, um, those clearances are,
18 are very straightforward and they're processed
19 quickly. Every application, um, is, is, uh, er,
20 handled on its own. And, you know, one of the things
21 I didn't mention is that sometimes we do get a report
back from one of these, uh, agency checks where there

1 is something concerning that we need to look into.

2 And so that's another reason that an application may
3 take longer if we have to do an additional assessment
4 to see if that person can work in child care.

5 CHAIRPERSON SCHULMAN: So what are the, you know,
6 the things that I mentioned, like, what's maybe the
7 number one kind of driver of a backlog, or they— or
8 it just varies?

9 CORINNE SCHIFF: I think it really varies. I
10 don't know that there's one or another, and I, and I
11 don't know, I would hesitate to call it a backlog. I
12 mean, a person who has worked out of state in the
13 prior 5 years, and we are doing our due diligence and
14 complying with the law to check that out-of-state
15 history. And we are waiting for that state to report
16 back. I, I would not call that a backlog. Um, so,
17 um, so I would say, and I, and I think all of you
18 have said in your opening remarks, the work that we
19 are doing here is so very important for the
20 providers, for the families, and it's not something
21 where, while we, we feel a tremendous burden to get
these done as quickly as possible, we know how
critically important it is for the person who will
begin work and for the provider who needs that child

1 care professional in the classroom, but also for the
2 family to make sure that we are not cutting corners.

3 CHAIRPERSON SCHULMAN: Okay. Um, in March, Mayor
4 Mamdani announced the expansion of 2K, including the
5 first 2,000 seats coming online this fall and the
6 addition of 1,000 3K seats, is the agency prepared
7 and equipped to process the background checks for the
8 additional providers needed to meet this expanded
9 capacity citywide, and what specific steps have been
taken to ensure readiness? Is it on?

10 EMMY LISS: Oh, okay. There we go. I'm happy to
11 start with this. So for the expansion of 3K
12 capacity, and the launch of 2K this fall, um, given
13 the relatively quick turnaround time between now and
14 September, the city is planning to work, um, with
15 existing child care providers. So any of the
16 providers who are offering 3K or 2K services this
17 fall already have a license or permit, um, and very
18 likely already have staff in place in those
19 classrooms. We anticipate there will be some new
20 hiring to support 2K and 3K, as there always is in
21 the lead up to the first day of school. But we do
not expect a huge rush. We are continuing to monitor
what the, uh, staffing patterns will look like with

1
2 our partners at New York City Public Schools and with
3 the health department to make sure that we are
4 prepared. And then certainly as we prepare for the
5 fall of 2027, when we will be bringing many more 2K
6 seats online, we'll be planning ahead with the
7 Department of Health and New York City Public Schools
8 to ensure that there is sufficient staff capacity for
9 onboarding those providers.

10 CHAIRPERSON SCHULMAN: Okay, thank you. Um, how
11 many background checks does DOHMH process every year
12 for early childhood educators?

13 CORINNE SCHIFF: Um, so, uh, I can provide the
14 city-side numbers, and that, and that's the numbers
15 I, I gave you before, that 3,000 on a typical month.
16 Some months are bigger. September was 4,200.

17 CHAIRPERSON SCHULMAN: Oh, you mentioned that
18 earlier. Okay. Um, to what extent are background
19 check delays contributing to delays in opening new
20 child care slots or programs? So I'm not aware that
21 they are contributing to delays. Any particular
program that is having, um, uh, er, experiencing a
delay that they think is related to the background
clearance should certainly be in touch with our
office.

1
2 As I noted, the education director, who is a key
3 person to be able to open- is a- is somebody that-
4 that's an application that we handle in our borough
5 office and really handhold because we know that that
6 is the key to being able to open. But we, we would-
7 well, you know, if you, if you are hearing from a,
8 from a provider in your, in your, um, community,
9 please do reach out to us.

10 CHAIRPERSON SCHULMAN: Okay. If DOHMH receives a
11 question about an issue that's handled by OCFS, how
12 do you refer that person to OCFS? Is there a clear
13 line of communication for the public to both of you
14 regarding the background check processing?

15 CORINNE SCHIFF: So for the most part, uh, we can
16 take the those questions. Most of the kinds of
17 questions that come in from providers who are doing a
18 background check, uh, doing that process on the- what
19 we would call the state side, we can answer those
20 questions. If it's something that we cannot answer,
21 we will contact OCFS and make sure that that answer
gets back to the provider.

Has DOHMH quantified how many providers are
unable to begin operations due to pending background

1 checks, and does DOHMH prioritize the background
2 check of directors so that the business can open?

3 CORINNE SCHIFF: As we just discussed, yes, we
4 do.

5 CHAIRPERSON SCHULMAN: Okay. According to the
6 background check requirements under federal law, a
7 person who has passed the first two fingerprinting
8 checks can work with children if they are never left
9 alone with them. How many people are in this
provisional status right now? Hmm.

10 CORINNE SCHIFF: So really, um, anyone who
11 submits the clearance application and completes those
12 fingerprints and they come back without any concerns,
13 they can begin work so long as they are, um, under
14 the supervision of a fully cleared person. So I
15 don't have that- I don't have that number, but that's
16 something that we were able to provide so that people
17 can at least get started working.

18 CHAIRPERSON SCHULMAN: Okay. If you could get
19 it- if you could just get us the number at some
20 point, that would be great. Um, once a person has
21 completed a background check for one employer but
chooses to change jobs still within the child care

1 field,— does that person need to undergo a background
2 check again with the new employer?

3 CORINNE SCHIFF: So a person who has been fully
4 CBC cleared, so comprehensive background check
5 cleared, mhm, who— and that clearance has been within
6 the past 5 years, and there hasn't been a break in
7 service in 180 days, if they want to change
8 employers—

9 CHAIRPERSON SCHULMAN: Right.

10 CORINNE SCHIFF: Then what they need to do is let
11 us know in the portal that they are changing
12 locations.

13 CHAIRPERSON SCHULMAN: Mhm.

14 CORINNE SCHIFF: And then they are good to go.
15 Um, we will, uh, move their fingerprints over to this
16 new— this is sort of in the, on the, on the back end.
17 They, this is invisible to the, ah, child care
18 professional. We will attach the, the fingerprint to
19 their new employer. And there are a couple of the
20 clearances that we will repeat, but that is
21 invisible, um, to the provider, um, and to the, uh,
to the applicant themselves. They can begin working
as soon as they just let us know.

1
2 CHAIRPERSON SCHULMAN: Okay. How does DOHMH work
3 with DOE to see whether an educator has already
4 passed the two clearances necessary for working with
5 DOE and with DOHMH?

6 CORINNE SCHIFF: So this is another thing that we
7 have done a, a lot of work on, probably since the
8 last time we- mhm- met, which is that we, um, we do
9 now have access to the DOE system. So we are able
10 to- someone who has those fingerprints completed for
11 DOE, we are able to essentially use those in our
12 system.

13 CHAIRPERSON SCHULMAN: Now, I know, um, well, we
14 had DOE here for another hearing, and they, they
15 meant- they mentioned that, and they seemed to- you
16 guys seem to be able to work really well together,
17 from what I could gather.

18 Um, how does DOHMH track and report processing
19 timelines internally, and are there established
20 benchmarks or service-level targets?

21 CORINNE SCHIFF: We do have, um, internal metrics
to, um, measure the- our turnaround times. Um, and,
you know, certainly we are- our primary goal is never
to exceed that federal mandate for the work that is
in our control. So that 45-day mandate for the work

1 that we are doing ourselves. And otherwise, our goal
2 is to get that number down, our, our processing time
3 down as quickly as we can.

4 CHAIRPERSON SCHULMAN: Are there disparities in
5 approval timelines between home-based providers,
6 which are regulated through OCFS, and center-based
7 providers, which are regulated through DOHMH?

8 CORINNE SCHIFF: So we're happy to pass on the
9 question to OCFS to get the-- the processing time
information from them.

10 CHAIRPERSON SCHULMAN: And then I wanna know,
11 like, what are the diff-- what's driving the
differences, if there are differences. Okay.

12 At the Council's last hearing on this issue in
13 2023, DOHMH testified that the agency was onboarding
14 40 new staff members to process background check
15 applications. How many staff-- you said there's about
16 60, right, to address background check? Okay. And
do you have any vacancies in the unit right now?

17 CORINNE SCHIFF: We, we have just normal
18 attrition, um, so, I, you know, nothing that is staff
19 shortages. And as you, as you heard Emmy said, um,
20 you know, we are, we're working very closely together
21

1
2 to make sure that as the city, um, expands providers,
3 that we will likewise expand.

4 CHAIRPERSON SCHULMAN: So given the recent
5 announcement of, again, of the 2K and 3K expansion,
6 does DOHMH need additional funding for additional
7 staff to process the background check?

8 CORINNE SCHIFF: So we, we don't need funding
9 now, um, and, um, and as you know from our, from our
10 budget hearing, we did get, um, resources just even
11 anticipating some of the initial expansion, um, that
12 you just heard about. Um, but we are working very
13 closely together to make sure that as the city's
14 provider, ah, capacity expands, that our capacity
15 will expand alongside that.

16 CHAIRPERSON SCHULMAN: Okay, great and we have
17 our executive budget hearing coming up, so anticipate
18 some questions. Um, what are the costs associated
19 with conducting a background check excluding
20 fingerprinting, and who's responsible for covering
21 these costs?

22 CORINNE SCHIFF: Do you mean the agent's— the
23 Health Department's costs to administer the program?
24 Is that—

1
2 CHAIRPERSON SCHULMAN: Um, what are the costs
3 associated with cutting— er, with conducting a
4 background check, um, my, uh, so what I'm asking is
5 who's responsible? The agency, the provider, the
6 individual undergoing the background check? Like,
7 are there questions—

8 CORINNE SCHIFF: You mean to pay for the
9 fingerprinting?

10 CHAIRPERSON SCHULMAN: To do the— well, excluding
11 the fingerprinting.

12 CORINNE SCHIFF: Excluding the fingerprinting.

13 CHAIRPERSON SCHULMAN: Is there anything, or
14 there's not?

15 CORINNE SCHIFF: I don't think there's a cost to
16 submit the background clearance.

17 CHAIRPERSON SCHULMAN: Okay. Is DOHMH open to
18 increasing transparency for providers around the
19 status of their background check for themselves or
20 their employees? Well, you, you already— you
21 already— by creating a portal such as, um, the
Mayor's Office of Child Care has done for the new
permits.

CORINNE SCHIFF: So we do have a portal that we
launched in May, uh, I think it was May 22nd. It was

1 a big day, so I remember the date, 2023. And, um,
2 applicants can— they are given a— a number, um, of an
3 application number, and so they are able to type that
4 in and get, uh, to check the status of the
5 application, and we also do email them.

6 CHAIRPERSON SCHULMAN: When a potential early
7 childhood educator fails a background check, how is
8 this communicated to them, and how is it communicated
9 to the potential employer?

10 CORINNE SCHIFF: So a letter does go out. Um,
11 there are obviously confidentiality issues here, so
12 different information goes to, um, the applicant and
13 the provider in some cases, but there is a letter
14 that goes, um, um, and including, you know, if
15 they're— including information about, ah, next steps
16 for the applicant if they want to, for example,
17 appeal that decision or give us more information.

18 CHAIRPERSON SCHULMAN: Okay. For those potential
19 early childhood educators who do not speak English as
20 a first language, do you offer translation services
21 for those undergoing the background check process?

CORINNE SCHIFF: So our background check portal,
uh, is able to be translated. So, um, there is, uh,
there's language accessibility there. And for people

1 who have questions who wanna contact either their
2 borough office or, um, to speak to the central
3 office, we can always use LanguageLine and our staff
4 are trained to do that.

5 CHAIRPERSON SCHULMAN: Do you know how many
6 languages is served or—

7 CORINNE SCHIFF: By LanguageLine?

8 CHAIRPERSON SCHULMAN: Mhm.

9 CORINNE SCHIFF: It's many. 200.

10 CHAIRPERSON SCHULMAN: Okay. No, that's great.
11 Um, now I'm, I'm gonna, um, I appreciate this and,
12 um, I'm gonna ask Chair Gutiérrez, uh, for questions
13 on her end. Thank, thank you very much. Appreciate
14 it.

15 CHAIRPERSON GUTIÉRREZ: Thank you, Chair
16 Schulman. And I, I do have a couple, a number of
17 questions for, for Emmy again. Um, but I just, I did
18 have some follow-up questions for you, Deputy
19 Commissioner. Thank you so much for answering
20 everything. Let me just make sure I have my notes.
21 Um, what is— can you just, uh, uh, to start, um,
clarify the 30-day timeline? Is that, um, from the,
the, the fingerprint process with DOI, or is that
like sep— that is only once kind of you get notified?

1 What is that? What is the— when does the clock start
2 that you're timing for the 30 days?

3 CORINNE SCHIFF: So that median time will be from
4 when the time that somebody submits the application
5 to us. Whether they have already gone and gotten
6 their fingerprints, I don't, I, I don't know. You
7 could, you could do it either way. You can come to
8 us, you could start entering after you've already
9 gotten the fingerprints.

10 CHAIRPERSON GUTIÉRREZ: Sure. Okay. Okay.
11 That's helpful. I think that's it. Okay. Um, so
12 you, you referenced kind of some of the, the areas
13 that you have, that the agency has improved on. Um,
14 what is, I guess, what kind of a delay is a typo?
15 Put— like, what is the level of a strain that a typo—
16 and, you know, tell me, because on my end I'm like, a
17 typo takes seconds. But what is— I don't know, is a
18 typo like, I put the wrong initial here, I put a
19 period where it wasn't supposed to go? Like, because
20 that— it seems like a significant— it seems like a
21 significant enough error where it's creating a delay.
But what is the turnaround on that?

CORINNE SCHIFF: So it's, it's an example of the
kind of thing where if we get a, uh, what we would

1 call a healthy the application, we can handle that
2 much more quickly. If you've reversed numbers in
3 your Social Security number, that's gonna delay, you
4 know, all these checks are dependent on that Social
5 Security number. We don't know that there's been a
6 typo in your Social Security number. So, um, that's
7 just the sort of thing, and 45 days is not a lot of
8 time, so any of these couple of day issues, mhm, uh,
9 can, can, you know, extend the timeline.

10 CHAIRPERSON GUTIÉRREZ: And then you— thank you—
11 and then you did mention— Well, I'm just curious back
12 on the typo. Is, is, um, so it's not, it's not
13 necessarily like spelling errors. It's like
14 technical errors like this. Like, is that—

15 CORINNE SCHIFF: Yeah, so a date of birth.

16 CHAIRPERSON GUTIÉRREZ: Okay, yeah.

17 CORINNE SCHIFF: If you, if you reverse your date
18 of birth, you know, the, the date, and so we don't
19 have the correct date of birth, then that's gonna,
20 that's something we, we may not discover. So this,
21 we, as I said, we just a couple of weeks ago did a
new release where we have you enter that twice.
That's a way to reduce those kinds of errors. I
don't know yet how helpful that is because we just

1 released it, but that's the sort of thing as we gain
2 more and more experience, we can see what are the
3 kinds of things that are tripping people up that we
4 can fix with technology and just eliminate those.

5 CHAIRPERSON GUTIÉRREZ: Okay. And— okay. I
6 think that that was— I, I, I think I have some more,
7 but I think that that's it just based on your
8 responses. Thank you so much.

9 Um, I had some questions for the Mayor's office
10 and certainly want to hear from you, Aaron. Thank
11 you for, for walking us through this. I think it
12 looks really good. Also, I don't know if you've
13 gotten any credit for just the layout of it. I think
14 sometimes, you know, it's hard to put together these,
15 um, new sites and expect everyone to just jump in and
16 fully understand it. But I think the layout is
17 really, really easy, really forward. And I really
18 appreciate that you were able to work with providers
19 to put this together.

20 Um, just based on this though, can you clarify,
21 are these for new applicants or new applicants and
existing applicants?

1
2 AARON YARBROUGH: Currently it is for new- it's
3 for prelims, what we call new applicants for group
4 daycare.

5 CHAIRPERSON GUTIÉRREZ: Okay.

6 AARON YARBROUGH: Um, we do have plans to expand
7 it to renewals. That is, in fact, we're talking with
8 DOH right now to get those business rules, and we
9 plan to, you know, that I think will be our next big
10 release because I know there's a huge demand for
11 renewals and amendments as well. Currently right now
12 it is just prelims, new applicants.

13 CHAIRPERSON GUTIÉRREZ: Okay. And is there
14 anything that folks should know about- this is really
15 wonky- but about uploading docs? Because I think
16 oftentimes, I'll use the example of 311, you can't
17 necessarily upload a doc or a picture if the
18 resolution is too low, or, you know, it just- if I'm,
19 you know, someone who's interested in opening up,
20 opening up a group daycare and I don't know this, how
21 easy is it for them to upload documents, to, you
know, or pictures that they need to- like, what is
that communication with them while they're already
here so that we don't lose them?

1
2 AARON YARBROUGH: Right, right. So in- you see
3 in the screenshot there, we actually give some
4 instructions like, look, we accept these kind of
5 files. PDF is one, JPEG is another. A lot of people
6 just take pictures of their documents and as long as
7 it's- as long as you can read it, that, that can
8 count.

9 So we try to give them that and we try to give
10 them a document size limit, it's fairly large. You'd
11 have to do that. So we give them that upfront. Some
12 people are going to have issues, you know, with that
13 and what have you. There is, you know, there is a-
14 there's sort of like a contact support thing if
15 you're having trouble uploading a document. Um, so
16 we can, you know, that will go to a help desk who can
17 try to support them. But usually we try to tell them
18 up front.

19 We're finding, at least when we spoke to
20 providers, it's going to happen Council Member,
21 obviously. But like, it's, it's the same sort of
requirements that they're kind of used to at this
point with when they're uploading documents at their
bank. Or any of the other things. It's often the

1 same requirements. But you're right, it can be, it
2 can be, uh, a point of failure.

3 CHAIRPERSON GUTIÉRREZ: And is the idea that once
4 these new providers are utilizing this site that they
5 will continue to use this site every couple of years?

6 AARON YARBROUGH: Yeah, we'd like— we're really
7 trying to design it so it's not just a one and go.
8 Like, the— but we hope those providers can stay in
9 business and grow and prosper. So they're going to
10 renew. We're going to have renewals ready by then.
11 We have some information such as that background
12 check.

13 CHAIRPERSON GUTIÉRREZ: So everyone at some—
14 every home-based provider at some point will have to
15 be transitioned to using this site?

16 AARON YARBROUGH: That's correct.

17 CHAIRPERSON GUTIÉRREZ: Okay, okay.

18 AARON YARBROUGH: I'm sorry? Center-based.
19 Center-based, yeah.

20 CHAIRPERSON GUTIÉRREZ: What about— what did I
21 say? Home-based. Center-based. My bad. No, no,
no, no. We got to clarify, thank you.

1
2 AARON YARBROUGH: I just heard center. Thank
3 you. Home-based is state, and I— we would love to
4 automate the state system.

5 CHAIRPERSON GUTIÉRREZ: No, no, no, no. I want
6 to be clear. I don't want to confuse anyone. Thank
7 you, Emmy. Okay. Great. Um, okay and besides this—
8 besides, ah, this new site, is My City only going to
9 be used for for this to the, to the best of our
10 knowledge?

11 AARON YARBROUGH: You wanna take that?

12 CHAIRPERSON GUTIÉRREZ: In its, its new
13 iteration?

14 EMMY LISS: So MyCity has both a parent-facing,
15 um, portal and a provider-facing portal. Um, the
16 parent-facing portal for MyCity is how families are
17 able to apply and recertify for child care vouchers.
18 Um, and the provider-facing side is where the
19 provider portal lives. So both of those functions
20 continue to be maintained.

21 CHAIRPERSON GUTIÉRREZ: Okay. Just for— and
that's— that's fine, but just for the purpose of
child care at this point. Yes. Okay. Great. Um,
thank you.

1
2 And are— for, for you all, and I know that this
3 is obviously, like, part of the process, are there
4 other ways, I mean, that your team is working with
5 DOHMH to identify efficiencies or greater
6 transparency in the background check process?

7 EMMY LISS: Um, so we collaborate very closely
8 with DOHMH and, um, with Deputy Commissioner's team,
9 we meet on a weekly or biweekly basis to discuss and
10 troubleshoot things that we are hearing from
11 providers, things that, um, we are observing in our
12 regular work. And we're constantly looking at how we
13 can make all of the city's processes easier for child
14 care providers to navigate.

15 CHAIRPERSON GUTIÉRREZ: Okay. Is there— and I,
16 and I also wanna be careful about using the word
17 backlog, 'cause I know that originally that was a
18 word. I think it's great that we're no longer there.
19 Um, but I do think that just based on last week's
20 hearing, and I'm sure some of the folks today, I, I
21 think that 45 days, it sounds— it's fast and is
oftentimes not the experience of people that we are
hearing from, right? No one's reaching out to say,
hey, I got cleared in 45 days. Great job, DOHMH,
right?

1
2 Like, they're reaching out because they're like,
3 we've been waiting for 3 months. So what— are there
4 areas where— and this is obviously never to
5 jeopardize safety, but are there areas where, like,
6 do you need a bigger staff? What are some of the
7 things that we need to be thinking about into this
8 budget and then and the out-year budgets as well?
9 Because I'm a little taken aback by the, the amount
10 of, of people that we have at the DOHMH to be able to
11 do this work considering how much larger we wanna
12 get.

13 Um, and, and also I'm aware that, like, you're
14 not, you, you don't have 3,000 people every month
15 necessarily, right? It kind of ebbs and flows. But
16 what are some of the things that you are thinking
17 about to prepare? Um, what do you need more of?

18 CORINNE SCHIFF: So, uh, you know, I, f-first, I
19 would say if you are hearing from a constituent
20 provider that something is taking that long, the
21 story that you told, you, they should reach out to
our office or you should reach out to our office cuz
that's something we wanna, that we wanna
troubleshoot. The 45 days is that federal max—
maximum. That's our, our ultimate target. But we

1 are aiming to turn these around much more quickly.
2 And right now, as I said, our median turnaround time
3 is 30 days. And when we are at a, at a, ah, er, a
4 period where we have a more stable, um, ah, a lower
5 level of intake, our, our median processing time was
6 20 days.

7 So we're not, uh, our, our goal is to do this as
8 quickly as possible. With, as you just said, um,
9 not, uh, not sacrificing, um, the, the care and
10 attention that we give to these applications. Um, as
11 we are growing, as the city will grow, we will grow,
12 and we are working, as we have— as Emmy and I have
13 both said, working very closely together to
14 understand the ratio, I think you could say, of, of,
15 of child care programs and, and, and, you know, it's
16 a complicated formula because it's not just the
17 number of providers, but it's the, the size of those
18 providers, the number of staff, and what that will
19 mean on our side for us to grow accordingly.

20 And I, and I think we both feel confident that
21 we're gonna get that because this is only gonna
succeed if we are able to process these applications
in a timely way.

1
2 CHAIRPERSON GUTIÉRREZ: Can you share if once an
3 application is submitted, is there a actual human
4 reviewing these applications first? Is there some
5 kind of tool that you all are using at some point of
6 the process?

7 CORINNE SCHIFF: So the, the, um, the applicant-
8 there are, there are these multiple databases that
9 need to be checked.

10 CHAIRPERSON GUTIÉRREZ: Mhm.

11 CORINNE SCHIFF: And then if something comes back
12 where there is some sort of flag in that person's
13 background, there is a, a unit, uh, that does a
14 health and safety assessment to see if that is- if
15 that's a person who, who needs conditions on
16 employment, who cannot be employed in child care.

17 CHAIRPERSON GUTIÉRREZ: But that initial- it's-
18 is it always a unit? Is it- I'm just trying to see
19 if you all use any kind of AI tools to kind of even
20 just skim through an application. I just want to be
21 clear on- because sometimes the feedback that I get
is like, we did submit this, we- it is in there, and
now it's taking us forever to get in contact with our
assigned borough person. And I have heard that
feedback many times, Deputy Commissioner.

1
2 Um, so So I, in just in my past life as a former
3 Chair of Technology, I often learned that sometimes
4 there is just an AI tool that is being used to kind
5 of assess, and then those are, those are when flags
6 are sent. And so sometimes that creates longer
7 times, um, because you need to find a, a person to,
8 to look through it and connect with that applicant.
9 So that's what I'm asking. Is it always staff people
10 that are looking at this?

11 CORINNE SCHIFF: It is, it is staff people.

12 CHAIRPERSON GUTIÉRREZ: Okay.

13 CORINNE SCHIFF: Who are looking through these.
14 And to give you an example, um, they're looking
15 through them in a proactive way. So if we see an
16 application, we, we will typically get a fingerprint
17 result in a week or two. But if we see that we
18 haven't gotten that fingerprint result, we're not
19 sitting around waiting, what's going on? We are then
20 reaching out to our counter- to our colleagues at
21 DOI, and we, we work very closely with them as well,
and we're troubleshooting together what's happened
with that fingerprint result. Sometimes we find out
that that was- that, that fingerprint wasn't taken in
a very clear, clear way and it wasn't able to be, be

1
2 processed, or there's been a delay in the payment for
3 that fingerprint. And so those are things we can
4 troubleshoot.

5 So it is, it is people. That is why we have a
6 staff of 60 people devoted just to this work.

7 CHAIRPERSON GUTIÉRREZ: Great and I'm sorry that
8 that wasn't clear, but I just want to make sure that
9 we're— that there are people looking at this stuff
10 because there are some of these details that could
11 get lost. Thank you.

12 Um, Emmy, is the Administration cons— and I'm
13 sorry if you covered this already, but is the
14 Administration considering making background check
15 clearances portable by individual educator?

16 EMMY LISS: Um, so as Corinne outlined, um, if an
17 educator has been working in child care without any
18 break in their employment and has gone through a
19 comprehensive background check within the last 5
20 years, um, then that staff member is able to move
21 between child care settings where we see folk

CHAIRPERSON GUTIÉRREZ: Quickly with no delay?

CORINNE SCHIFF: What they, what they need to do,
um, with, with those 5 years, 180 days, is, uh, just

1 let us know that they are moving, um, and then they
2 can start at the new location.

3 CHAIRPERSON GUTIÉRREZ: And is this fairly new?

4 CORINNE SCHIFF: As of— this is, this is within
5 about the last year.

6 CHAIRPERSON GUTIÉRREZ: Okay.

7 CORINNE SCHIFF: We were able to, um—

8 CHAIRPERSON GUTIÉRREZ: Because I did not hear
9 that in the past, but I just want to make sure I've
just been corrected.

10 CORINNE SCHIFF: As you were telling your story,
11 I think it was 2024. This is after 2024. So we did
12 hear a lot from providers that that was a burden, and
13 we were able to work with New York State to make sure
14 that we were able to do that. And we've— we, um, let
15 providers know. We got great feedback about that.
16 The process is on our— on our website. And this is
17 how we are really constantly talking to providers,
18 hearing where the problems are, and making
improvements where we can, um, so long as the law
allows it.

19 CHAIRPERSON GUTIÉRREZ: Absolutely. And I'm
20 asking these questions not to rehash necessarily, but
21 really just put us on a path of like, this is an

1 error that we saw, we addressed it, and this is how
2 we're moving forward. Thank you.

3 Um, is the Mayor's Office of Child Care working
4 with the state on building efficiencies into the
5 state-level system needed to run background checks?

6 EMMY LISS: Um, we have not talked in detail
7 with, um, the state about their background check
8 process for for home-based providers, though we are
9 committed on our end to making it easier for
10 home-based providers to navigate these processes.

11 Um, so as we continue in our very regular engagement
12 with providers, we are asking them about pain points
13 they experience in opening and operating their
14 businesses. And we will, as we hear specific
15 examples, um, share those with the state and with our
16 partners. And we have a very open dialogue with the
17 state broadly about, um, regulation and ways in which
18 we can make it easier for providers to operate.

19 CHAIRPERSON GUTIÉRREZ: And what about the same
20 with federal-level clearances? Any communication
21 with the federal government?

EMMY LISS: Uh, we have not, um, since the start
of this Administration, been in touch with the
federal government about this issue.

1
2 CHAIRPERSON GUTIÉRREZ: Background check
3 processes differ for early childhood educators based
4 on the location of the early childhood education
5 programs with DOE, DOHMH, and the state's OCFS having
6 oversight roles for various location types. How is
7 the Mayor's Office of Child Care coordinating with
8 all agencies involved in the background check
9 processes?

10 EMMY LISS: Um, I think we communi- we coordinate
11 very closely with the Department of Health, um, and
12 we are in very regular touch with OCFS just broadly
13 about their regulation of child care providers and
14 ways in which we can continue to work together. Our
15 goal, um, is to be in, in community talking regularly
16 with providers about the pain points they experience.
17 And then using our position as-

18 CHAIRPERSON GUTIÉRREZ: And our- I'm sorry to cut
19 you off. Are the providers directly communicating
20 with you? Like, here are the names of the 4 people.

21 EMMY LISS: Uh, no, not at that. I would say we,
you know, some of the examples of system improvements
that you're hearing, um, some of the things that went
into the permitting portal are- these are the result
of providers coming to us and saying, hey, we're

1 getting stuck with X, you know, we can log into the
2 portal, um, or our staff can log in and see their
3 individual status.

4 CHAIRPERSON GUTIÉRREZ: Mhm.

5 EMMY LISS: But I wanna be able to see what's the
6 status across my staff. And so that's why now in the
7 permitting portal, providers can log in and see all
8 of their pending background checks.

9 So we're using the feedback we get from
10 providers. Certainly if there are points of
11 escalation that come into our office, we follow up
12 right away with the responsible agency. And then as
13 we hear from providers about the challenges they
14 face, and where we hear those as repeated trends,
15 that's how we're looking to innovate and continue
16 improving our systems.

17 CHAIRPERSON GUTIÉRREZ: How, how big is the
18 office now? How many staff members?

19 EMMY LISS: Um, we're, we are in the process of
20 growing. I think there are 7 of us now.

21 CHAIRPERSON GUTIÉRREZ: Okay. Uh, all right now,
that's great.

EMMY LISS: There were 6 the last time you asked
me.

1
2 CHAIRPERSON GUTIÉRREZ: Come on. No, no, I just,
3 I just like to be updated, but I think that's great.
4 I know. Yeah. Um, I have a couple of more questions
5 just on the, on the, the portal, the site portal.

6 Okay. Um, do you have a sense of what the— and I
7 know you just launched, but do you have a sense of
8 whether or not the, the average time to process a
9 child care permit before the launch and now has it
10 improved? Are you able to even share that? I know
11 it just launched, but like, what, what, when you
12 launched it, were you like, we'd love to shave, uh, 2
13 weeks off of the pro— whatever, like, what were some
14 of the goals that you all had before launching this?

15 AARON YARBROUGH: Right. So I think, uh, Deputy
16 Commissioner Schiff has shared some, like, medium,
17 like, pre-Portal launch. Um, so we're using that as
18 a baseline. We didn't have a set goal, like, I'm
19 going to shave off 5 days, I'm going to shave off 10
20 days. Uh, we obviously hope it happens more quickly
21 using the mean, uh, sort of, ah, and median average
that, um, the homepage does.

So it is too soon, right, because we would need a
greater data set of completed applications just to
measure it, you know, you know, against— and I know

1 we were talking earlier about background check. I'm
2 using a slightly different one, like the application,
3 you know, median. So, but we do intend, um, to
4 measure it. And, you know, our goal is to get
5 better. Have we set it's gonna be 10 days less? Not
6 yet. I think we need more data to set that but
7 essentially, we're hoping it shows a substantial
improvement.

8 CHAIRPERSON GUTIÉRREZ: Yeah.

9 EMMY LISS: And I, I think if I could add to
10 that, we both want to make the process faster, but
11 also, frankly, just easier. I think um, this is a
12 process that providers— and I know you've heard from
13 them as well— have found to be frustrating in the
14 past. They're sending emails, even just the example
15 Aaron gave about trying to schedule an inspection. I
16 think if we can make this process less frustrating,
17 less burdensome for, for providers, if they can
18 schedule their inspection with one easy click instead
19 of 15 emails, yes, we hope that makes the process
20 faster, and we hope it makes their interactions with
21 government feel easier and make it— it makes it feel
more sustainable for them to open and operate and
continue to expand their business.

1
2 CHAIRPERSON GUTIÉRREZ: Have you all gotten—
3 well, can you share how many, how many applications
4 have come in since the launch?

5 EMMY LISS: 43.

6 CHAIRPERSON GUTIÉRREZ: Okay. And has there been
7 any, um, I don't know, are anybody having, like,
8 emailing for, like, technical issues or anything
9 that— for now?

10 AARON YARBROUGH: We've actually been pretty
11 well, uh, we're monitoring. We have the thing called
12 a war room once we launch. We like— we have, you
13 know, I know it's dramatic, you should think of a
14 better metaphor, but it means just high, uh, high
15 level of user support because we just want to make
16 sure.

17 CHAIRPERSON GUTIÉRREZ: Yeah.

18 AARON YARBROUGH: It's actually been fairly
19 positive. We had some people who put a different
20 address in one application and it's coming out in
21 another. Uh, we had one where they, they put in an
address that is actually different than the address
that comes up on their GPS, and so we're resolving
that, but we were able to resolve that fairly
quickly. We're also holding— because I think

1 provider feedback is so key here. We're holding what
2 we call sort of office hours, and those will be
3 scheduled soon, where we're— I think, and I'm— we're
4 working very closely with Corinne and the DOHMH to
5 invite providers to just show up and give us their
6 feedback. Um, and so it does— they don't, you know,
7 there's plenty of feedback and user support in the
8 application itself, including that chat feature,
9 right? Which I should mention is not an AI chat
feature, that, that goes straight to real DOHMH.

10 CHAIRPERSON GUTIÉRREZ: It's important to
11 emphasize.

12 AARON YARBROUGH: Yeah, I think you're right. I
13 think you're right. I should have emphasized it, so
thank you, Council Member.

14 Um, so, so no, no, so far we have not had any red
15 flags of this is, you know, bad. Um, but we're also
16 interested not just in like this doesn't work, but
17 what is working, and maybe we can double down on some
of those things as well.

18 CHAIRPERSON GUTIÉRREZ: Are there, um, I guess
19 for the 43 that have submitted, are they getting like
20 a survey? Just curious how you're like— I, the
21 office, the, um, office hours, I think that's a great

1 idea. Um, kind of like what is experience of the
2 folks that have been applying? Um, do you have a
3 sense of that, or you're just kind of waiting for an
4 email complaint?

5 AARON YARBROUGH: You know, that's a good point.
6 I do not have a sense of, like, how they're doing.
7 DOHMH might because they're working with them
8 directly, you know.

9 CHAIRPERSON GUTIÉRREZ: I'm surprised, this admin
10 loves a survey.

11 AARON YARBROUGH: Yeah, I know. It's true. I
12 mean, you can always rate the application, but that
13 only gives you something of a star, as far as what I
14 would like is actually more actionable feedback about
15 what's working, what's—

16 CHAIRPERSON GUTIÉRREZ: I would be just— I would
17 be curious because I think you have made concerted
18 efforts to work with providers to create this. And
19 so I think that that's like really revolutionary in
20 the way that the city launches these kinds of things.
21 So it would be really great to see like, hey, you
were— you helped us build this, kind of what was your
experience.

1
2 AARON YARBROUGH: And you're some of our earliest
users, so please give us feedback.

3 CHAIRPERSON GUTIÉRREZ: Yeah, absolutely,
4 absolutely. Um, and how are you all thinking about
5 kind of, uh, if you need training, what training
6 looks like? And then you said that this is going to
7 be rolling out to expand to include existing
center-based providers. How are you all thinking?
8 Uh, do you, do you feel like there needs to be, um,
9 expanded support for those providers to be able to
10 utilize this site?

11 AARON YARBROUGH: Uh, it could be-

12 CHAIRPERSON GUTIÉRREZ: Because that's a lot,
that's a lot more.

13 AARON YARBROUGH: It's a lot. It's a lot. And
14 not all providers are as technically savvy, right?
15 We try to make it so you don't have to be technically
savvy, but some providers are. So training is- we
16 have a very good sort of training manual that is
17 available, you know, online for the providers. And
18 along with these office-

19 CHAIRPERSON GUTIÉRREZ: How long is that manual

20 AARON YARBROUGH: Communication- It's, it's, it's
a long application process.

COMMITTEE ON HEALTH JOINTLY WITH THE COMMITTEE
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CHAIRPERSON GUTIÉRREZ: I'm a provider, I have no time for that.

AARON YARBROUGH: Okay, fair enough.

CORINNE SCHIFF: We, we are holding— we are holding training sessions.

CHAIRPERSON GUTIÉRREZ: Okay, okay. And then this is why I asked if there were any issues, if anyone had, um— I'm not trying to create a problem if it doesn't exist, that's great.

AARON YARBROUGH: I listen attentively, I've not heard any. Deputy Commissioner, have you heard any issues from your staff or—

CORINNE SCHIFF: I have not.

CHAIRPERSON GUTIÉRREZ: Okay. You wouldn't tell me anyway.

CORINNE SCHIFF: I would.

CHAIRPERSON GUTIÉRREZ: Okay, alright. Um, and then my last question is, how has the Mayor's Office of Child Care, uh, marketing this provider portal, um, who speak other languages than English? How are y'all getting out there?

CORINNE SCHIFF: Um, so the way that providers access this portal, um, as Aaron said, they first have to make their initial payment to the Department

1 of Health on the Department of Health's website, and
2 then they have the portal emailed to them. Um, so
3 there's really no way for them to access the portal
4 before they have initiated their permit process. Um,
5 but we are always looking to just do more outreach to
6 providers. Um, so we'll continue thinking about how
7 we get the word out, especially as we want to see
8 more child care providers open in parts of the city
where we have childcare deserts today.

9 CHAIRPERSON GUTIÉRREZ: Yeah, I would love to
10 just collaborate with you all and just— yeah, thank
11 you. Thank you for that. Thanks, Chair. Thank you
so much.

12 CHAIRPERSON SCHULMAN: Um, I'm going to ask Chair
13 Krishnan for any questions he may have.

14 CHAIRPERSON KRISHNAN: Thank you so much, Chair
15 Schulman. Just a few questions from me. One was
16 how, how many locations of Identico and NYC are
17 there? How does DOHMH communicate, um, I'm sorry,
18 how does DOI communicate with DOHMH for updates?
Does DOHMH reach out to Identico directly about
19 issues?

20 CORINNE SCHIFF: I don't know the number of
21 Identico locations. We are in, ah, regular touch

1 with DOI. There's a- there's a, you know, standard,
2 um, e- email that will come through routinely
3 providing results. Um, and then there's also just
4 regular staff contact troubleshooting issues and so
5 on.

6 CHAIRPERSON KRISHNAN: Okay, and we've also asked
7 DOI for more information to understand their role in
8 the process. Um, what does DOHMH do when it receives
9 information from DOI about arrests of someone who was
already cleared?

10 CORINNE SCHIFF: Um, so DOI does share that
11 information with us, and part of why we have, uh, we
12 maintain the records of where people are working is
13 in case we do get information about arrests, we need
14 to be able to identify where that worker is. So the
15 first thing we do is reach out to that program. Um,
16 frequently that person is no longer employed at that
17 program. Um, but if they are still working in child
18 care, ah, we will then do an assessment of what the
19 arrest was about. And similar to the kind of
20 assessment we would do on the front end when someone
21 has first applied, um, to work in child care, it
really depends on what that arrest is for.

1
2 So we'll do that assessment to determine whether
3 that means that they can no longer be working in that
4 program.

5 CHAIRPERSON KRISHNAN: And on to Intro number 15,
6 the bill-- that's one of the bills that's being heard
7 today too. Does DOHMH, um, require a subsequent
8 background check for an educator every time they
9 change employment?

10 CORINNE SCHIFF: So we do not. Um, we-- when a
11 person-- I think we went-- we went over this. A person
12 who is within that 5-year period-- applications--
13 background clearance has to be renewed every 5 years
14 and has not had a break in service of, of 180 days,
15 they-- and they are changing employers, um, they just
16 need to let us know for the reasons we just discussed
17 about arrest.

18 Uh, they need to let us know. Um, we will then
19 move their fingerprints over from the prior location
20 in our system. It's all, uh, invisible to the child
21 care professional. So as soon as they let us know,
they can go work at that new location.

Um, so in terms of Introduction 15, we believe
that we are in compliance. We don't-- we don't think
that we are-- we're not asking for repeat-- we're not

1 conducting repeat background clearances except where
2 the law requires us to do that.

3 CHAIRPERSON KRISHNAN: I see. And so that's
4 always been the policy, right? Or is that a recent
5 change, or it's always been—

6 CORINNE SCHIFF: There have been some recent
7 changes in what we call portability. So it may be
8 that this bill, um, was designed during that earlier
9 period. We're not, we're not really sure. We'd be,
10 we would be, you know, appreciate the opportunity to
11 discuss that.

12 CHAIRPERSON KRISHNAN: Sure. So is DOHMH in
13 support of this bill or not?

14 CORINNE SCHIFF: So we don't have any concerns
15 with the bill. We would like to better understand
16 what the concern is that the bill is trying to
17 address. As we read it, it says comply with the law,
18 which is what we think we do.

19 CHAIRPERSON KRISHNAN: Got it. Okay. Thank you.
20 Thank you, Chair Schulman and Chair Gutiérrez.

21 CHAIRPERSON SCHULMAN: Okay, I'm gonna turn it
over to Council Member Brewer.

COUNCIL MEMBER BREWER: Thank you very much. Um,
on the technology, I mean, 100 years ago, which is

1
2 how long I've been around, um, it, it was always hard
3 to get some of those providers to be able to access
4 just technology. Internet was too slow, um, didn't
5 exist. It was expensive to have a fast repeater, et
6 cetera.

7 So is that all addressed now from either the, any
8 of the centers that you're working with? Because,
9 you know, I was said earlier, just, you know, just
10 getting, uh, access in your home for me just recently
11 cost \$1,000 to upgrade a system. That's not
12 inexpensive. So I just wanna know, is the technology
13 there hardware to support what you're trying to do?

14 AARON YARBROUGH: It is. We did a lot of
15 extensive what we call performance testing, right?
16 Like how fast it is in various environments. I
17 should have, uh, pointed out that portal that I
18 showed you is mobile response, um, responsive.

19 COUNCIL MEMBER BREWER: You can be on your cell
20 phone.

21 AARON YARBROUGH: So you can, you know, it's a
lot to do on your cell phone, but it's possible.

COUNCIL MEMBER BREWER: It's a lot to do on your
cell phone.

1
2 AARON YARBROUGH: It is, it is. But a lot of
3 providers did tell us, like, sometimes it's just a
4 laptop or a tablet. So we did a lot of testing on
5 tablet. It works very well on tablets. And so we
6 have not heard any extensive issues. If you don't
7 have wireless, you're gonna need an internet
8 connection but we have done extensive testing. And,
9 uh, so far it meets—

10 COUNCIL MEMBER BREWER: So you need a fast
11 connection though? You need a connection that is—
12 it's—

13 AARON YARBROUGH: Well, you need a fast
14 connection for the best experience. Obviously the
15 faster connection the better. If it takes another 3
16 to 4 seconds to upload a document, that's not
17 optimal, but hopefully it's not preventing the
18 providers from going to the next one.

19 COUNCIL MEMBER BREWER: Okay. And then the next
20 question is just because I have gotten complaints,
21 obviously, um, in general we're trying to get as many
young people to be part of the city system, part of
the nonprofit system, etc. So some of the systems,
as I understand it, I have private centers on the
Upper West Side. They are now purchasing, I would

1 say paying you the fee, whatever it is to be comply,
2 um, because they had private patients, private
3 patients, private students only in the past.

4 So they wanna be part of your system 'cause then
5 they can feel that they can, um, ah, er, you guess
6 serve better and survive. So is that, is that also,
7 that would be a new, a brand new center, basically.
8 Is that something that you're including or not at
9 this point?

10 EMMY LISS: Um, child care providers do not need
11 a separate permit or license to partner with New York
12 City Public Schools as a contracted 3K or Pre-K
13 provider. If they are permitted, licensed, in good
14 standing, um, you know, they have an active permit
15 with the Department of Health, they do not need a new
16 permit to work with the city.

17 COUNCIL MEMBER BREWER: Okay, but are they likely
18 to get students because um, already many students
19 understandably, 'cause they, they charge, you know,
20 the usual, I don't know, \$6,000 up to \$30,000 in the
21 past. So now of course they wanna be, become a New
York City provider. That's a, I thought they had to
go through some steps to do that.

1
2 EMMY LISS: Yes, they do have to go through some
3 steps. Um, absolutely. It is not related to the
4 permitting process.

5 COUNCIL MEMBER BREWER: Correct. Not to the
6 health process, but it's to the DOE process.

7 EMMY LISS: Exactly. Yes. So if the Department
8 of Health has, has already sort certify that this is
9 a healthy, safe environment for children. They do
10 not need to go through that again. Um, in order to
11 be awarded a city contract with the New York City
12 Public Schools, they do have to go through an
13 application process, um, in order to demonstrate that
14 they, ah, are able to meet the requirements to offer
15 pre-K, 3K, and non-K.

16 COUNCIL MEMBER BREWER: Okay. Alright and then
17 the other question about, um, on, on the health
18 front, um, in the past, again, um, how often do your
19 inspectors visit? Is it like annual? Is it
20 complaint-based? Um, in the past people would freak
21 out when they, uh, appeared. I assume that may not
happen now. So how, how does that work for any
center, not just the new ones?

CORINNE SCHIFF: We conduct an annual inspection
of every child care program. And I did want to just

1
2 note the inspections that Aaron showed on the portal
3 that are scheduled, those are preliminary site
4 viability inspections. Our routine operational
5 inspections are unannounced. They're at least
6 annual, and we will conduct a follow-up inspection if
7 needed to check on something that we've observed.
8 And we also have a complaint-based response.

9 COUNCIL MEMBER BREWER: Okay. And, and that
10 hasn't changed over the years? You'd be looking at
11 the-- everything from the furniture to the quality of
12 health in general?

13 CORINNE SCHIFF: That's right.

14 COUNCIL MEMBER BREWER: Okay. Um, the only-- the
15 final question I have is um, do you think that you're
16 gonna-- I know you have some applications, you said,
17 for, um, what do you-- how many young people do you
18 think are gonna be in the City of New York? What are
19 your demographic suggestions for the future? Are you
20 looking at those to see if we're gonna meet it?
21 Obviously, there's an unfortunate situation with
migrants being chased out by the president, so we
might-- I'm just trying to think, what are your
numbers? And I guess you also include promise in all
of this too, right?

1
2 EMMY LISS: So as we are planning for the future
3 launch of 2K, as we continue to make sure that our 3K
4 and pre-K system is meeting family need, we are
5 looking across all of the city agencies that collect
6 data on, um, birth, migration, um, you know,
7 neighborhood patterns, how folks move between places
8 to make sure that we are supporting a robust child
9 care system. Um, and that's where, you know, in
10 parts of the city where we know we don't have enough
11 licensed child care today, we will work with
12 prospective providers to support them as they go
13 through these permitting processes so we can build
14 more capacity.

15 Um, and then we'll continue to work with existing
16 providers, for example, to adjust the capacity,
17 whether that be, you know, offering— switching some
18 of their classes for 3-year-olds to 2-year-olds in
19 the future, just to make sure that we're matching
20 family demand as demographics shift.

21 COUNCIL MEMBER BREWER: And, and Promise include
in all of this?

EMMY LISS: Um, Promise NYC is, um, a sort of a
separate program managed by ACS. Um, but—

1
2 COUNCIL MEMBER BREWER: So you're not part of
that at all?

3 EMMY LISS: Um, we work closely with them and
4 it's, it's part of the broader child care ecosystem.
5 When we think about all of the city's child care
6 programs, we look at all of the different resources
7 for families, whether that's the city's 3K, pre-K,
8 and soon-to-be 2K programs, the child care voucher
9 program administered by ACS and HRA, Promise NYC and
then other small programs.

10 COUNCIL MEMBER BREWER: But again, back to the
11 bigger demographics. Obviously 2030 hasn't happened
12 yet. Census will give us more information. There's
13 the community survey- surveys in between. City
14 Planning Commission does them. Um, so, but do you
15 have any sense in the next, I don't know, 5 or 6
16 years where you're going with this population, this
17 younger population? Because we hear the bad news
18 that there are fewer young people. That's very bad
news. So I'm just wondering are you hearing that?
Are you planning for that, or that's not relevant?

19 EMMY LISS: Um, well, we certainly hope that our
20 city's investments in child care will help reverse
some of the, um, outmigration of families at the very
21

1 least. Um, we, uh, are working closely with City
2 Planning, with demographers at the Department of
3 Health and others, um, to look at those trends year
4 over year to inform our planning.

5 COUNCIL MEMBER BREWER: Are you telling the
6 suburbanites to come back?

7 EMMY LISS: Um, we would be happy to have them.

8 COUNCIL MEMBER BREWER: I'm serious about some
9 kind of, um, you indication of doing that?

10 EMMY LISS: I think we'll be monitoring how our
11 different, um, investments in child care as part of
12 the mayor's broader affordability agenda both keep
13 families here and attract families here. I think in,
14 in all seriousness, we know that we've lost families
15 in recent years, both because the, the birth rate in
16 the city has declined and because families with
17 children under 6 are twice as likely to leave. We
18 know that that's driven by largely by child care
19 costs as well as housing costs. And I do think we're
20 hopeful that as, um, this Administration's
21 affordability agenda is implemented, that we will see
families stay.

You know, we hear stories from families all the
time who want a second child, but they're waiting

1
2 until their first child is eligible for 3K so they
3 only have to pay for one daycare bill. So we hope
4 that the city, by easing cost burden for families,
5 will allow them to make the decisions that are best
6 for them and not feel quite so constrained.

7 COUNCIL MEMBER BREWER: Alright, thank you.
8 Didn't quite answer the question, but close enough.
9 Thank you.

10 EMMY LISS: Okay.

11 CHAIRPERSON SCHULMAN: Alright thank you. Um,
12 anybody else? Jen? No? Thank you very much for
13 coming and testifying again. Thank you for putting
14 together, um, the PowerPoint. It was, I mean, you
15 know, on short notice. Really appreciate it.
16 Appreciate all the work that you're doing. And, you
17 know, we'll follow-- we'll follow back up and we'll
18 keep watching. But thank you so much.

19 PANEL: Thank you. Thank you, guys.

20 CHAIRPERSON SCHULMAN: Okay, now we're gonna do
21 public testimony. Um, ah, mhm, th-th-th-

UNIDENTIFIED: Oh, you have to read a whole
script.

CHAIRPERSON SCHULMAN: What?

1
2 UNIDENTIFIED: You have to read a whole script
3 now.

4 CHAIRPERSON SCHULMAN: I have to read- yes, I
5 have to read a whole script.

6 Okay, uh, we will now open the hearing for public
7 testimony. I want to remind members of the public
8 this is a government proceeding and the decorum shall
9 be observed at all times. As such, members of the
10 public shall remain silent at all times. The witness
11 table is reserved for people who wish to testify. No
12 video recording or photography is allowed from the
13 witness table.

14 Further, members of the public may not present
15 audio or video recording- recordings as testimony.
16 but may submit transcripts of such recording to the
17 Sergeant-at-Arms for inclusion in the hearing record.
18 If you wish to speak at today's hearing, please fill
19 out an appearance- fill out an appearance card with
20 the Sergeant-at-Arms and wait to be recognized.

21 When recognized, you will have 2 minutes- 2
minutes to speak on today's oversight topic
addressing the child care- 3 minutes? Okay. When
recognized, you will have 3 minutes to speak on
today's oversight topic addressing the child care

1 background check backlog or the legislation being
2 considered today.

3 If you have a written statement or additional
4 written testimony you wish to submit for the record,
5 please provide a copy of that testimony to the
6 Sergeant-at-Arms. You may also email written
7 testimony to testimony@council.nyc.gov within 72
8 hours of the adjournment of this hearing. Audio and
9 video recordings will not be accepted.

10 Alright, the first panel is Paula Inhargue- I'm
11 sorry if I'm mispronouncing it- Bailey Appel, Joyce
12 McClammy, and Gregory Brander.

13 Okay, um, which one is Paula? Okay, just
14 remember, folks, you have 3 minutes. If you, um, if
15 you have long testimony, you could submit it online
16 and um, we will definitely take a look at it, so just
17 when it- when you see it's coming to a point, just
18 summarize what you're talking about. Paula, go
19 ahead.

20 PAULA INHARGUE: Thank you, Chair Gutiérrez,
21 Schulman, and Krishnan, and members of the New York
City Council for the opportunity to testify. My name
is Paula Inhargue. I'm a policy analyst at United
Neighborhood Houses. UNH is a policy and social

1 change organization representing 45 neighborhood
2 settlement houses, 40 in New York City, and reaching
3 over 760,000 65,000 New Yorkers each year.

4 In 2023, DOHMH launched a new online automated
5 process for staff clearance. Since its rollout, the
6 system has generally improved and feedback has been
7 mostly positive. While we do not have clear insight
8 into whether DOHMH is consistently meeting the
9 federally required 40-day timeline, providers report
10 that delays are not as severe as under the previous
11 system.

12 Based on feedback from our Senate and House
13 members, we have heard that many staff are able to
14 receive provisional clearance relatively quickly and
15 begin working. However, obtaining full clearance
16 continues to take significantly longer, particularly
17 for out-of-state background checks, and has been
18 creating some ongoing staffing challenges and
19 uncertainty for providers.

20 Even so, we have received generally positive
21 feedback on the new system and are encouraged by its
continued improvement as implementation moves
forward. This continuous improvement will be
especially important as the city prepares to expand

1
2 its early childhood system and as the Department of
3 Youth and Community Development issues new
4 afterschool contracts.

5 New providers will need to obtain SAC licenses
6 and clear new staff, which could strain the current
7 system. My written testimony goes into more detail.
8 Thank you for your time.

9 CHAIRPERSON SCHULMAN: Thank you. Um, yeah, they
10 did mention to us that the out-of-state was an issue,
11 so we'll, we'll talk internally and see what can be
12 done about that. Um, but I appreciate that. And
13 what, what's your sense of the new portal that they
14 showed?

15 PAULA INHARGUE: We haven't— I mean, I guess
16 we'll have to see.

17 CHAIRPERSON SCHULMAN: Okay.

18 PAULA INHARGUE: But I think mostly it's been the
19 out-of-state and the difference between the
20 provisional approvals and the full clearances. Um,
21 but other than that, we have been hearing positive
feedback.

CHAIRPERSON SCHULMAN: Okay, thank you. Okay,
next. Mhm.

1
2 NEILY APPEAL: Good afternoon, Chair Schulman,
3 Chair Gutiérrez, Deputy Speaker, and Chair Williams,
4 and members of the committee. My name is Neily
5 Appeal, and I'm the Human Resources Coordinator at
6 Cuddles Child Care Center in Williamsburg. Cuddles
7 currently serves nearly 150 children with capacity to
8 serve nearly 300 children across our programs. Thank
9 you, Chair Gutiérrez, for visiting Cuddles last week.
10 We appreciated the opportunity to share our program
11 and discuss the realities facing providers and
12 families.

13 Our staff was grateful for your care and
14 compassion. I'm here today to speak about the staff
15 clearance and credentialing process, which remains
16 one of the biggest barriers to hiring and maintaining
17 qualified staff. Streamlining this process is
18 essential if centers are going to recruit workers
19 efficiently, respond to staffing needs, and continue
20 providing safe, stable, high-quality care for
21 children and families.

18 One of the most difficult issues involves staff
19 transitioning from one child care program to another.
20 Currently, a worker must obtain a termination letter
21 before the CBC process can even begin with a new

1 employer. Once that termination letter is issued,
2 the worker may lose pay from their prior employer,
3 yet cannot begin working for the new employer until
4 clearance is completed. This creates serious
5 financial hardship for staff and leaves programs,
6 struggling to fill positions.

7 Cuddles operates two separate licensed programs,
8 an infant/toddler program and a preschool program.
9 When staff move between these co-located programs
10 within the same organization and building, they are
11 often required to repeat the full clearance process
12 from the beginning even though there has been no
13 change in employer, location, or background status.
14 That is unnecessary and inefficient.

15 It also makes it very difficult, schools to use
16 already cleared staff to temporarily cover absences
17 or serve as floaters across both programs, which
18 creates added logistical and financial strain.

19 For that reason, we are encouraged by Councilman
20 Abreu's Intro 0015/2026, which would prevent
21 unnecessary repeat background checks for providers,
employees, and volunteers who have already been
cleared within, within the previous 5 years. We are
hopeful that this will also help allow staff to be

1 linked to more than one program without requiring,
2 requiring a separate clearance for each one.

3 We further would like to raise other issues
4 during the clearance process, including applicants
5 are asked for exact address histories for prior
6 residences. Very often they don't recall the exact
7 month and year of all their moves.

8 We also continue to encounter vague deficiency
9 and rejection notices that do not clearly explain
10 what is missing or how to correct it, along with long
11 processing delays and little or no information about
12 application status while materials are pending.

13 In addition, applicants with foreign language
14 diplomas often face unnecessary obstacles because of
15 restricted translation options, which may delay their
16 ability to complete the process. Thank you for your
17 attention and for supporting efforts to reduce
18 unnecessary barriers.

19 CHAIRPERSON SCHULMAN: Uh, thank you. Thank you
20 very much. Um, we'll have questions when the panel
21 is done. Go ahead. Next.

GREGORY BRENDER: Good afternoon. Um, thank you
so much for holding this hearing. Uh, we're— my name
is Gregory Brender. I'm here on behalf of the

1 Daycare Council of New York. We are the membership
2 organization of early childhood provider
3 organizations in New York City. And we're so
4 grateful that the City Council and the Mayor's Office
5 of Child Care and the Department of Health have been
6 working to improve background checks. Uh, the
7 background check process has been a longstanding
8 challenge for providers. Providers are facing a
9 staffing crisis. I'd say the first issue in the
10 staffing crisis is really their low pay, uh, but
11 nonetheless, the background check process is also a
12 challenge.

13 Um, and just go back some of the history when,
14 when this process was launched in 2019, um, it
15 actually led to the temporary closure of many
16 programs. Um, and in response to that, in February
17 of 2020, OCFS started doing the, um, provisional
18 background clearances. And right now we have a lot
19 of staff who are working with provisional background
20 clearances, and we basically have had that since,
21 since 2019, uh, or really since 2020. And, um, while
that's— well, that solves temporarily the problem
because, uh, staff who are back, who are who are only
provisionally cleared need to be supervised by fully

1 cleared staff all the time, um, it does create more
2 of a staffing problem and issues where providers have
3 a greater risk of being out of compliance.

4 So, uh, we are excited to see, um, this portal
5 and other work to, um, to increase the speed of
6 background checks and have certainly heard that there
7 are— there have been increases.

8 Um, nonetheless, we do have some policy
9 recommendations also to increase the speed. Um,
10 first is to, uh, facilitate cooperation and data
11 sharing with the Department of Education's PET
12 system. Uh, the PET system also checks New York
13 State criminal history check, a national criminal
14 record check with the FBI, uh, New York State Sex
15 Offender Registry, and the New York State Central—
16 uh, statewide Central Registry of Child Abuse and
17 Maltreatment.

18 Uh, we've generally heard that, uh, the PET
19 system operates more efficiently, even as it is
20 checking many of the same things. So, um, finding
21 ways to develop mechanisms for data sharing with the
consent of the candidate that will allow information,
uh, found by PET system to be used in the CBC
process.

1
2 Um, we're also recommending-- and I know there's
3 been some work on this, uh, working with New York
4 State to ensure the portability of background checks.
5 Um, and it was good to hear that there has been some
6 increase in the staffing of DOHMH, but particularly,
7 um, in the Bureau of Child Care, which we expect and
8 hope will have the need for more work as we're
9 expanding programs as part of the 2K and 3K
10 expansions, um, ensuring they have the ability to
11 continually to staff up.

12 Ah, finally, we would recommend both that DOHMH,
13 um, and others in the city, ah, continue to conduct
14 meetings with providers to identify challenges and
15 solutions on a broad process, and also, ah, that
16 they've developed procedures procedures for proactive
17 outreach to employers when there's a paperwork issue
18 or some other issue that could be addressed, um, that
19 they need, uh, the information. Thank you so much.

20 CHAIRPERSON SCHULMAN: Thank you. Next.

21 JOYCE MCCLAMMY: Good afternoon. My name is
Joyce McClammy. I'm from DC 37.

CHAIRPERSON SCHULMAN: Mhm.

JOYCE MCCLAMMY: I'm Local 205 Vice President,
and we thank you for hosting this hearing today. As

1 we have heard, um, our youngest, we represent. Our
2 local 205 members, we represent.

3 We thank the DOH that they have in- invented this
4 portal because it is moving a little faster, but even
5 45 days is still a lengthy period. Um, we appreciate
6 that they have to invest- investigate to make sure
7 that we're getting safe, qualified staffing to take
8 care of the most vulnerable people in the world.

9 Now, they said that if there's a, um, person on
10 site that's already have all of their screenings
11 cleared and everything, a person that's like, you
12 know, maybe, um, a misprint, mhm, they can still come
13 in and be cleared. But that's not so. Um, we had a
14 staffer working, she was going to be, um, a lead
15 teacher, but she had to go through the process over
16 again.

17 She had to wait 3 months before she totally got
18 cleared. So we just want to make sure that the
19 process goes a little quicker, a little easier for-
20 once you get your fingerprints, once you get your
21 clearing, that you can go in and work into the system
instead of waiting for the,- the, the, um, I'm sorry,
the- when you have to do child abuse trainings, the

1 trainings, because that can slow the process down as
2 well.

3 So we thank you for hearing us. Um, just want
4 this process to move a little faster because in the
5 CBOs we need certified teachers. And when they have
6 to wait for the process of clearing, then they get
7 discouraged and they go other places.

8 CHAIRPERSON SCHULMAN: Right.

9 JOYCE MCCLAMMY: Because DOE will accept them,
10 whereas the community-based center, DOH, or, or they—
11 they don't get the clearing. So we just want the
12 process to go.

13 CHAIRPERSON SCHULMAN: Okay. No, appreciate
14 that.

15 JOYCE MCCLAMMY: Thank you.

16 CHAIRPERSON SCHULMAN: Um, my colleague has a
17 question.

18 CHAIRPERSON GUTIÉRREZ: Thank you so much. Um,
19 and thank you for inviting me to Cuddles. I had a
20 wonderful time. I have since referenced the visit
21 many times. Um, in a week, but I was really impacted
by the experience that you shared. Um, something
that we did— that we didn't get to hear from, uh, the
department was on the challenge for specific, um,

1 degrees that needed to be translated, um, and how
2 lengthy that process is to, to be able to hire staff.
3 Um, you- we heard from the Admin about how easy it
4 should be now for people that have already cleared
5 background checks that are currently employed to, to
6 move to another place. What you mentioned was
7 something that we didn't hear, which is that they
8 have to note- they have to submit a letter of, of
9 resign- resignation, or would- say that again. You
10 can answer. I just- so that I'm clear, because we
want to follow up.

11 NEILY APPEAL: Termination letter.

12 CHAIRPERSON GUTIÉRREZ: Okay. And so let's say
13 I'm a teacher at a provider and I want to go work at
14 Cuddles. I have to submit the termination letter- to
15 the, to DOHMH first, or I just have to provide that
I've submitted in a termination letter?

16 NEILY APPEAL: So I need a termination letter
from your previous employer.

17 CHAIRPERSON GUTIÉRREZ: Oh, you need to grab it.
18 Oh, okay, okay. Before you can even start the
19 process of moving to the next site?

20 NEILY APPEAL: So I send it in. I had one
employee that I sent in the clearance, and they told
21

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1 me that, like, only 3 weeks later, I got a reply that
2 before we can start, we need the termination letter
3 and exact date when they stopped working at the
4 previous place.

5 CHAIRPERSON GUTIÉRREZ: And that was DOHMH?

6 NEILY APPEAL: Yeah.

7 CHAIRPERSON GUTIÉRREZ: Okay. Because I think
8 that, that adds time. That was not something that
9 they—

10 NEILY APPEAL: Yeah, for sure.

11 CHAIRPERSON GUTIÉRREZ: They started— they hit
12 on today. Okay. Um, wonderful. Gregory, good to
13 see you. Thank you. Thank you guys for coming
14 again. I know that— Thank you. Oh, yeah. And can I
15 just ask you to submit your testimony, um, your
16 testimony written as as well so that we have it?
17 Thank you. That's it.

18 CHAIRPERSON SCHULMAN: Yes, thank you all. Okay.
19 We will, we will now move to virtual testimony.
20 Please wait for your name to be called to testify and
21 please select unmute when prompted. Again, please
st— keep to 3 minutes. Um, I'm gonna call on
Jonathan Lorenzo. He's not on. Okay. Um, Kathia
Pillier.

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1
2 KATHIA PILLIER: Hi, good day. Thank you for the
3 opportunity. Um, my name is Kathia Pillier and I am
4 the Family Child Care Network Director for Nuestro
5 Los Niños Child Care Development Center, located in
6 the heart of Williamsburg since 1973. We understand
7 the importance of running a high-quality educational
8 and safe program.

9 Our organization has 3 centers in Williamsburg
10 and a family child care network of 45 providers,
11 mainly speaking Spanish, throughout Brooklyn and
12 Queens. We are devoted to ensuring the programs run
13 smoothly. However, we are required to use systems
14 that are developed with the intention to make
15 programs safe but are not reliable.

16 I am testifying to share my experience on the
17 different challenges that our organization faces
18 relating to navigating the background check process
19 required to work in the early child care sector, both
20 center-based and family child care network.

21 While the intention of creating systems that are
necessary to ensure that our children are safe, there
are many obstacles that occur during this process.
The different systems in place are deeply unreliable
and unstable and create unnecessary barriers for

1
2 qualified individuals who are eager to support young
3 children. From the start, the process is confusing
4 and fragmented. From a center-based perspective,
5 admin support is required to navigate applicants'
6 information through use of multiple systems such as
7 PETS for fingerprints, SCR, and CBC for the
8 background checks that do not communicate with each
9 other.

10 Each platform has its own requirements, login
11 credentials, and instructions, many of which are
12 unclear and are not streamlined. In many cases, is a
13 maze with unclear instructions of which processes
14 should be started first. The guides that are
15 provided are also unclear. Applicants, on the other
16 hand, do not receive the required instructions of
17 what needs to be completed in a timely manner.

18 Both applicants and providers are playing an
19 ambiguous role, which causes delays of clearances.
20 Some examples are fingerprints are allegedly not
21 received after applicants have taken their
fingerprints and activated their accounts. Documents
are submitted and not reviewed until weeks after. If
there are mistakes, these corrections are not

1 notified at one time. Numerous emails are sent to be
2 corrected. In less than a week, causing more delays.

3 Lastly, conversations are started with a specific
4 agent and then it is changed to a different agent
5 where the—

6 SERGEANT AT ARMS: Your time has expired.

7 CHAIRPERSON SCHULMAN: You just— can you just
8 summarize please the rest of it and then you can send
it to us?

9 KATHIA PILLIER: Sure, so I guess the other part
10 is, um, highlighting the Family Child Care Network.
11 They use systems such as FAMS that, um, is supposed
12 to support for uploading documentation for their
13 licenses, clearances. That's not, um, a very, um,
14 clear system and also they're supposed to also use an
15 SCR system, also part of the clearances, which they
tend to lack access to. I submitted my testimony.
Thank you.

16 CHAIRPERSON SCHULMAN: Thank you very much.
17 Okay, next is Sage Schaftel.

18 SERGEANT AT ARMS: Starting time.

19 SAGE SCHAFTTEL: Hi, uh, thank you for holding
20 this important hearing and for the opportunity to
testify. My name is Sage Schaftel. I represent the
21

1
2 Early Care and Education Consortium. ECEC members
3 operate 256 high-quality centers across New York
4 State, including 86 in New York City. Our members
5 serve over 8,500 children in the city and employ
6 nearly 2,000 educators and staff.

7 We're incredibly grateful for the work the City
8 Council and the Mamdani Administration have been
9 doing to increase access to child care for families
10 across the city.

11 Uh, background checks, which are absolutely
12 critical to ensuring children are safely cared for,
13 have long been a challenge for providers in New York
14 City, particularly as we face significant workforce
15 challenges. In a recent survey of ECEC members, we
16 found that of nearly 300 CBCs initiated in the last
17 year, only about 57 were 57% were cleared within 45
18 days, about 41% took between 45 days and 6 months,
19 and the remaining took longer than 6 months.

20 This is a vast improvement from a few years ago,
21 but in order to expand supply and improve access,
more needs to be done. So I want to thank Majority
Leader Abreu for reintroducing Intro 15 and for his
continued focus on improving CBC— the CBC clearance
process.

1
2 I also want to thank DOHMH for their ongoing
3 engagement and efforts to expedite the process.

4 Intro 15 would address a critical inefficiency in the
5 system, the lack of portability. This would allow a
6 cleared teacher to move across the hall to another
7 classroom or across, across the city to another
8 center without being required to go through the
9 background check process again.

10 While DOH has made significant improvements, the
11 current policy remains limited to certain employees
12 and does not extend to group teachers or education
13 directors.

14 Further, while cleared assistant and substitute
15 teachers are permitted to move between programs more
16 easily, barriers do still exist, particularly if they
17 did not list each DCID on their original CVC
18 application. The impact is that if a provider opens
19 a new program in New York City, then for that program
20 to be able to have their current teachers move
21 between locations, they would need to have each of
them submit a new application.

These limitations also cause challenges in
emergency situations. For example, one of our
members experienced a water main break and had to

1 transition children to a different site in the city.
2 They were able to move the children between centers
3 but not the staff without going through an updated
4 clearance process.

5 As you can imagine, moving children without the
6 requisite staff causes issues with ratios. So in
7 order to remain in ratio, the provider had to send
8 some children home, which then impacts parents'
9 ability to work if they no longer have access to
10 care. These situations also occur if a teacher calls
11 out sick early one morning or has to leave midday due
12 to illness or a family emergency, as a provider may
13 not be able to bring in staff from another one of
14 their centers without going through a waiver process.

15 Intro 15 would ease these challenges
16 significantly by allowing the clearance to follow the
17 person as opposed to the classroom or facility.
18 Thank you for the opportunity to testify, and, and we
19 look forward to working with you to improve child
20 care access for all New York City families.

21 CHAIRPERSON SCHULMAN: You can— you can summarize
if you want the rest of it. She finished. Oh, she
finished. Thank you very much. We really appreciate
your testimony. I also want to make mention that the

1 Administration is watching this, and they have people
2 here, um, who've listened to the public testimony.

3 So I think that that's very important, and they will
4 take that back, um, and take a look at that.

5 So I appreciate every- I wanna thank you to
6 everyone who's testified. If there's anyone present
7 in the room or on Zoom that has not had the
8 opportunity opportunity to testify, please raise your
hand.

9 Seeing no one else, I would like to note that
10 written testimony will be- which will be reviewed in
11 full by Committee Staff- may be submitted to the
12 record up to 72 hours after the close of this hearing
13 by emailing it to testimony@council.nyc.gov. And
with that, um, I close today's hearing. Thank you.

14 [GAVEL]
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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date August 15, 2026