April 12, 2001

H 1282. CRIMINAL BACKGROUND CHECKS LONG-TERM CARE. *TO PROVIDE FOR DEPARTMENTAL REVIEW OF CRIMINAL HISTORY RECORD CHECKS TO DETERMINE IF PERSONS EMPLOYED IN ADULT CARE HOMES AND NURSING HOMES ARE FIT TO BE RESPONSIBLE FOR THE SAFETY AND WELL-BEING OF AGED OR DISABLED PERSONS; AND TO PROVIDE THAT INDIVIDUALS DETERMINED TO BE UNFIT TO BE RESPONSIBLE FOR THE SAFETY AND WELL-BEING OF AGED OR DISABLED INDIVIDUALS MAY NOT BE EMPLOYED IN ADULT CARE HOMES AND NURSING HOMES.* Rewrites GS 131D-40 and 131E-265 to make numerous provisions, as indicated in title, relating to criminal background checks for employees of adult care homes, nursing homes, home care agencies, and contract agencies of any of those. Except for conditional employment authorized by the act, prohibits those agencies from employing an individual who is subject to a record check until the history has been reviewed and the Dept of Health and Human Services (DHHS) has made a determination that the individual is fit for employment. Sets out detailed notice that must be given to applicants for employment that describes mandatory criminal history checks. Sets out standards by which DHHS is to evaluate an applicant's fitness for employment. Appropriates $133,328 for 2001-2002 and $153,770 for 2002-2003 from General Fund to DHHS, Div'n of Facility Services, to carry out duties required by the act. Effective Oct. 1, 2001.

Intro. by Weiss.

Ref. to Judiciary II	GS 114, 131D, 131E, APPROP