

SENATE FILE NO. SF0028

Criminal background checks-nursing facilities.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to criminal history record information
2 checks; requiring potential and current employees of
3 nursing care facilities and home health care agencies to
4 provide a copy of fingerprints and other information as
5 specified; providing procedures; and providing for an
6 effective date.

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8 *Be It Enacted by the Legislature of the State of Wyoming:*

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10 **Section 1.** W.S. 35-2-912 is created to read:

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12 **35-2-912. Nursing care facilities; employee criminal**
13 **background checks; fees.**

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15 (a) No person shall accept employment by a nursing
16 care facility or a home health care agency where that

1 employment may involve direct patient care, unless the
2 person provides the facility or agency:

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4 (i) A copy of the person's fingerprints;

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6 (ii) A statement signed by the person
7 authorizing:

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9 (A) The facility or agency to request a
10 criminal history record information check; and

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12 (B) An exchange of the information among
13 the nursing care facility or home health care agency, the
14 department and the Wyoming division of criminal
15 investigation; and

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17 (iii) Any other information necessary to conduct
18 the check.

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20 (b) The provisions of subsection (a) of this section
21 shall apply to all employees of nursing care facilities or
22 home health care agencies employed on or after July 1,
23 2002, for whom a criminal history record information check
24 has not been conducted within the previous twelve (12)

1 months by the Wyoming board of nursing, the department of
2 health or the department of family services.

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4 (c) The nursing care facility or home health care
5 agency shall forward the information received under
6 subsection (a) or (b) of this section to the department
7 along with the fees required under W.S. 7-19-108, including
8 the fee for national criminal history record information,
9 in accordance with federal P.L. 105-277. The department
10 shall submit the request for the criminal history record
11 information check to the division of criminal
12 investigation.

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14 (d) Upon receipt of the criminal history record
15 information, the department shall advise the nursing care
16 facility or the home health care agency of the results of
17 the criminal history record information check.

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19 **Section 2.** This act is effective July 1, 2002.

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(END)