

## HOUSE SUMMARY OF SENATE AMENDMENTS

**HB 680**

**2016 Regular Session**

**Moreno**

HOSPITALS: Requires healthcare services providers to conduct background checks on prospective employees

### Synopsis of Senate Amendments

1. Makes technical changes.
2. Requires businesses who provide contract staffing services to comply with proposed law and to provide the employer with a letter certifying that the contracted staff meet license or certification standards of their profession and have undergone and passed criminal background checks.
3. Authorizes the Dept. of Health and Hospitals to receive the criminal history information of any person or the owner of a 5% or greater ownership interest in an entity who has applied to enroll as a Medicaid provider.
4. Defines nursing facility.

### Digest of Bill as Finally Passed by Senate

Present law authorizes the Dept. of Health and Hospitals (DHH) to receive the criminal history record and identification files of the La. Bureau of Criminal Identification and Information (bureau).

Proposed law retains present law and further authorizes DHH to receive the criminal history record and identification files of any person or the owner of a 5% or greater ownership interest in an entity who has applied to enroll as a Medicaid provider. Proposed law requires the bureau to forward the person's fingerprint card and other identifying information to the Federal Bureau of Investigation for a national criminal history check.

Present law requires an employer to request that a criminal history and security check be conducted on a nonlicensed person or any licensed ambulance personnel prior to an offer to employ or to contract with the nonlicensed person or licensed ambulance personnel to provide nursing care, health-related services, medic services, or supportive assistance to any individual.

Proposed law retains present law and adds additional categories of healthcare services providers to the list of employers required to perform a background check on prospective employees.

Proposed law authorizes an employer to request that the criminal history check be performed using the fingerprints of the nonlicensed person or any licensed ambulance personnel. Proposed law further authorizes each applicant for employment, upon request of the employer, to be fingerprinted and to submit the fingerprint samples for use in the criminal history check.

Proposed law requires employers subject to the provisions of proposed law to contract only for staffing services provided by businesses who comply with the provisions of proposed law. Proposed law further requires businesses that provide contract staffing services to healthcare providers to comply with the provisions of proposed law and to send accompanying letters certifying that the contracted staff meet license or certification standards of their profession and have undergone and passed criminal background checks.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 40:1203.1(3)(a), (c), (g), and (o), (4), and (5), 1203.2(B)(1) and (E), and 2009.2(1)(intro. para.); Adds R.S. 15:587(A)(1)(i) and R.S. 40:1203.1(3)(d), (i), (j), and (p)-(y) and 1203.2(F))