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## DIGEST

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HB 680 Engrossed

2016 Regular Session

Moreno

**Abstract:** Requires certain healthcare services providers to perform criminal history and security checks on nonlicensed personnel prior to employment.

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 and security check be performed using the fingerprints of the nonlicensed person or any licensed ambulance personnel. Proposed law further requires each applicant for employment, upon request of the employer, to be fingerprinted and submit the fingerprint samples to the employer to be used to obtain the criminal history record and perform the security check.

Proposed law requires employers subject to the provisions of proposed law to only contract for staffing services provided by businesses who comply with the provisions of proposed law.

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) and 1203.2(B)(1) and (3) and (E); Adds R.S. 40:1203.1(3)(d), (i), (j), and (p)-(y) and 1203.2(F))

### Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Health and Welfare to the original bill:

1. Make technical changes.
2. Restore previously deleted language regarding Medicaid personal care services and the section 1915(c) home and community-based services waiver program in the definition of employer.

3. Delete the reference to the qualification of contracted or employed on staff in the definition of nonlicensed person.
4. Require employers to only contract with businesses who comply with the criminal history and security check requirement.
5. Specify that services provided by nonlicensed persons must be directly related to patient care.
6. Authorize the use of fingerprints for the criminal history and security checks.