
DIGEST

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HB 245 Reengrossed

2017 Regular Session

Hoffmann

Abstract: Authorizes a home- and community-based services provider to recoup the cost of a preemployment background check.

Present law prohibits a public or private employer from requiring any employee or applicant for employment to pay for or passing on to the applicant or withholding from an employee's pay the cost of fingerprinting, a medical examination, or a drug test, or the cost of furnishing any records available to the employer or required by the employer as a condition of employment.

Proposed law provides an exception to present law for any preemployment criminal history and security check required by state law for an applicant for employment with a licensed home- and community-based services provider.

Proposed law authorizes a home- and community-based services provider to require an applicant for employment to pay for or in any manner pass on to the applicant or withhold from an employee's pay the cost of the preemployment criminal history and security check required by state law.

Proposed law requires a home- and community-based services provider to reimburse an applicant who pays the cost of the required preemployment criminal history and security check if the applicant is subsequently hired by that provider and remains employed for not less than three months from the date of hire.

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

(Adds R.S. 23:897(N) and R.S. 40:2120.8)

Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Require reimbursement if the applicant is subsequently hired and remains employed for not less than three months from the date of hire.
2. Make technical changes.