

GREEN SHEET REDIGEST

HB 680

2016 Regular Session

Moreno

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

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

DIGEST

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 excludes business that have contract employees from running criminal background checks on the contracted employees if the contractor provides a letter certifying the individual meets licensing standards and has undergone and passed a criminal background check.

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 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 (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.

The House Floor Amendments to the engrossed bill:

1. Make technical changes.
2. Remove the option for the security check to be made using fingerprints.
3. Change the requirement for an applicant to be fingerprinted upon request of the employer to an authorization.
4. Require the fingerprint samples to be sent to the La. Bureau of Criminal Identification and Information.
5. Delete proposed updates to the licensing designation for intermediate care facilities for the developmentally disabled.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Health and Welfare to the reengrossed bill

1. Excludes businesses that have contract employees from running criminal background checks on the contracted employees if the contractor provides letter certifying the individual meets licensing standards and has undergone and passed a criminal background check.