

REVENUE: No revenue impact

FISCAL: No fiscal impact

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| Action: | Do Pass as Amended and Be Printed Engrossed |
| Vote: | 6 - 0 - 1 |
| Yeas: | Cowan, Gilliam, Kotek, Maurer, Olson, Tomei |
| Nays: | 0 |
| Exc.: | Gelser |
| Prepared By: | Andy Smith, Administrator |
| Meeting Dates: | 2/05, 4/09, 4/20 |

WHAT THE MEASURE DOES: Grants the Department of Human Services (DHS) authority to use abuse and neglect reports in providing protective services and for screening employees, providers and volunteers. Directs DHS to adopt rules to carry out authority to use abuse and neglect reports. Directs DHS to convene a committee consisting of DHS employees and providers to develop recommendations for screening DHS employees and persons who are licensed, certified, registered, or otherwise regulated by DHS to provide care. Creates notice and opportunity for hearing rights for employees, contractors and volunteers. Limits use of abuse and neglect reports from disclosure other than for purposes outlined in measure. Proposes that DHS submit implementation plan to the 75th Legislature.

ISSUES DISCUSSED:

- Two-year phase plan for providers
- DHS intention to use existing available information to screen employees and volunteers
- DHS intention of including employees, providers and other stakeholders in work group
- Due process rights of DHS employees and providers

EFFECT OF COMMITTEE AMENDMENT: Replaces measure.

BACKGROUND: Currently, the Department of Human Services conducts approximately 17,000 criminal background checks per month, including checks for long-term care facilities, child care providers, foster care facilities, potential adoptive parents and providers for individuals with mental health and developmental disability clients. House Bill 2175 gives DHS authority to evaluate the fitness of DHS employees, providers and volunteers in a variety of DHS related programs, and directs the department to work with providers to develop detailed rules to carry out a comprehensive screening program.