

HOUSE BILL ANALYSIS

HB 2637

Title: An act relating to background checks on persons in contact with vulnerable adults.

Brief Description: Requiring background checks on persons who will be in contact with vulnerable adults.

Sponsors: Representatives Tokuda, Conway, Cody, Schual-Berke, McIntire, Campbell, Rockefeller, Kenney, Haigh, O'Brien, Kagi, Hurst, Anderson and Van Luven; by request of Department of Social and Health Services.

HOUSE COMMITTEE ON CHILDREN & FAMILY SERVICES

Meeting Date: January 27, 2000.

Bill Analysis Prepared by: Tracey Taylor (786-7196).

Background: The department investigates the background of most people coming in contact with vulnerable adults, children, and the developmentally disabled. This includes persons applying for a license to operate an agency that cares for, supervises or treats vulnerable adults, children, or the developmentally disabled. Background checks of applicants for employment with these agencies who come in direct contact with children and the developmentally disabled are also conducted. In addition, individuals or businesses that provide care, supervision, or treatment of vulnerable adults, children, and the developmentally disabled under a state contract must undergo a background check.

The background checks are conducted by the department through the Washington State Patrol's (WSP) database. Investigations examine the individual's history for convictions for offenses against children or other persons, convictions for crimes relating to the financial exploitation of a vulnerable adult, findings of child abuse in a civil action, issuance of a protective order for a vulnerable adult, and disciplinary boards' final decisions.

The actual background check of an applicant by the department takes less than a week, but applications may be delayed at the regional licensing office for longer. If a background investigation involves checking the thumb print of an individual, a request must be made to the WSP, which may take longer to respond.

The WSP also performs background checks directly. It may disclose, to any business, organization, or individual who provides services to vulnerable adults and children, the relevant background of persons applying for employment.

Summary of Bill: Background checks of persons applying for state positions involving unsupervised access to vulnerable adults are required. This includes positions involving contact for assessments, eligibility determinations, licensing and certification, investigations, surveys, or case management. Background checks will also be conducted for such positions as required by federal law. When the state is entering into a contract with a business, individual, or organization for case management, the state will conduct a background check. Finally, persons being considered for a state position that are directly responsible for the supervision, care, or treatment of vulnerable adults must undergo a background check.

Appropriation: None.

Fiscal Note: None.

Effective Date: This bill contains an emergency clause and takes effect immediately.