

SENATE BILL REPORT

SHB 1990

As of February 12, 2000

Title: An act relating to criminal history background checks for potential state employees and contractors.

Brief Description: Concerning background checks for certain potential state employees.

Sponsors: House Committee on Health Care (originally sponsored by Representatives Cody, Ballasiotes, Schual-Berke, Kenney, Keiser and Veloria; by request of Department of Social and Health Services).

Brief History:

Committee Activity: Human Services & Corrections: 3/25/99, 4/1/99 [DPA]; 2/17/00.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Staff: Joan K. Mell (786-7447)

Background: The Department of Social and Health Services (DSHS) is required to obtain criminal background checks on employees in facilities it licenses if they supervise vulnerable persons. The background check is a Washington State Patrol check for crimes against persons, financial exploitation against a vulnerable adult, adjudications of child abuse in a civil action, the issuance of a protective order for a vulnerable adult and disciplinary board final decisions.

Summary of Bill: The population from whom DSHS must obtain background check information through the Washington State Patrol is expanded. The department must obtain a background check on any person being considered for state employment who would have unsupervised access to children, individuals with physical disabilities, mental illness, or developmental disabilities.

Unsupervised access is a broader category from the previous category that was limited to persons being considered for state positions who were "directly responsible for the supervision, care, or treatment of children and others."

The categories of people with whom the potential employee would have contact is also broadened to include persons with physical disabilities, instead of being limited to children or individuals with mental illness or developmental disabilities.

A change is made to the Washington State Patrol background checks provisions that would require the department consider criminal history information for entities contracting with the department if the entity has unsupervised access to children, developmentally disabled persons or vulnerable adults, but the same change is not included in the statutory section that requires the department to conduct background checks. While the department has to consider

the criminal history information, it does not have to conduct a background check to get the information for independent contractors.

Appropriation: None.

Fiscal Note: Requested on February 11, 2000.

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