

FINAL BILL REPORT

ESSB 5606

C 296 L 01
Synopsis as Enacted

Brief Description: Regarding background checks.

Sponsors: Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles and Long; by request of Department of Social and Health Services).

Senate Committee on Human Services & Corrections
House Committee on Children & Family Services

Background: In the past year, changes have been made at the Department of Social and Health Services to consolidate the process of background checks into one department. However, due to the complexity of the law governing background checks, the checks are still done according to the various division requirements, even though the department has physically located everyone together. Management is in the process of developing uniform procedures, and policies. However, some changes require legislation. The changes requiring legislation are being undertaken in small pieces in an effort to prevent large scale changes that have a negative result both in terms of productivity and protection of public safety.

Early analyses indicate a lack of uniformity among state employees and those employees or volunteers working in state funded programs or supported by state dollars. There is a provision in state law that pertains to state employees, which has been interpreted to preclude consideration of crimes that occurred ten years ago by a hiring entity. In addition, statutory provisions may not require the same type of background check for state employees.

Summary: The Department of Social and Health Services (DSHS) is exempt from the provision in law that limits disqualification based upon a conviction ten years old when the employee will or may have unsupervised access to children, juveniles, and vulnerable adults and persons. All employees who have or will have unsupervised access must have a background check.

The State School for the Deaf and the State School for the Blind must conduct state and federal background checks for any person with regularly scheduled unsupervised access to children.

The Department of Personnel (DOP) and DSHS are authorized to make rules in cooperation and agreement consistent with legislative changes. DOP must develop policy recommendations to the Legislature regarding employees disqualified from their employment.

Votes on Final Passage:

Senate	48	0	
House	92	0	(House amended)
Senate			(Senate refused to concur)

House 93 0 (House amended)
Senate 40 0 (Senate concurred)

Effective: July 22, 2001