
SUBSTITUTE SENATE BILL 5606

State of Washington

57th Legislature

2001 Regular Session

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

READ FIRST TIME 02/26/01.

1 AN ACT Relating to making the background check requirements for
2 department of social and health services' employees consistent with
3 background check requirements for service providers, agencies, and
4 entities serving vulnerable adults and children; adding a new section
5 to chapter 9.96A RCW; adding a new section to chapter 41.06 RCW;
6 creating new sections; and declaring an emergency.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
9 authorize the department of social and health services to investigate
10 the background of current and future state employees to the same extent
11 and with the same effect as it has authorized the state to investigate
12 the background and exclude from the provision of service current and
13 future care providers, independent contractors, volunteers, and others
14 receiving state dollars when the state employee works or will work in
15 a position that has or may have unsupervised access to any person under
16 the age of eighteen, juveniles under department of social and health
17 services' supervision who may be as old as twenty-one, vulnerable
18 adults as currently defined in statute, and vulnerable persons who may
19 be any age, but lack the ability to care for themselves. The

1 department of social and health services must coordinate with the
2 department of personnel to develop rules that address the procedures
3 for undertaking background checks, and specifically what action would
4 be taken against a current employee who is disqualified from his or her
5 current position because of a background check not previously
6 performed. Current employees would not be subject to a check under the
7 provisions of this act until one year from the effective date of this
8 act.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.96A RCW
10 to read as follows:

11 This chapter is not applicable to the department of social and
12 health services when employing a person, who in the course of his or
13 her employment, has or may have unsupervised access to any person who
14 is under the age of eighteen, who is under the age of twenty-one and
15 has been sentenced to a term of confinement under the supervision of
16 the department of social and health services under chapter 13.40 RCW,
17 who is a vulnerable adult under chapter 74.34 RCW, or who is a
18 vulnerable person. For purposes of this section "vulnerable person"
19 means an adult of any age who lacks the functional, mental, or physical
20 ability to care for himself or herself.

21 NEW SECTION. **Sec. 3.** A new section is added to chapter 41.06 RCW
22 to read as follows:

23 The board shall amend any existing rules established under RCW
24 41.06.475 and adopt rules developed in cooperation and agreement with
25 the department of social and health services to implement the
26 provisions of this act.

27 NEW SECTION. **Sec. 4.** Any background check performed on current
28 employees under this act shall not occur until one year from the
29 effective date of this act.

30 NEW SECTION. **Sec. 5.** This act is necessary for the immediate
31 preservation of the public peace, health, or safety, or support of the
32 state government and its existing public institutions, and takes effect
33 immediately.

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