

## Department of Planning and Budget 2004 Fiscal Impact Statement

**1. Bill Number:** SB93

House of Origin	<input type="checkbox"/> Introduced	<input checked="" type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

**2. Patron:** Devolites

**3. Committee:** Education and Health

**4. Title:** Background checks at adult substance abuse treatment facilities.

**5. Summary/Purpose:** This bill permits the hiring at adult substance abuse treatment facilities of any licensed substance abuse treatment practitioner, certified substance abuse counselor, certified substance abuse counseling assistant, licensed clinical social worker, licensed professional counselor, licensed clinical psychologist, licensed registered nurse, or licensed physician, regardless of any conviction, if the hiring provider or employer determines that such criminal behavior was substantially related to the applicant's use of substances and the person has been successfully rehabilitated and is not a risk to consumers based on his criminal history background and substance use, abuse or addiction history. To be eligible for such employment, the applicant shall have completed all prison or jail terms, shall not be under probation or parole supervision, shall have no pending charges in any locality, and shall have paid all fines, restitution and court costs for any prior convictions. These provisions expire on July 1, 2007.

**6. No Fiscal Impact.**

**7. Budget amendment necessary:** No.

**8. Fiscal implications:** This bill exempts individuals who hold a valid license or certification from the existing Code provisions that prohibit employment in programs licensed by the Department of Mental Health, Mental Retardation and Substance Abuse Services. The exemption would apply only to employment in adult substance abuse treatment facilities. Current statute indicates that the costs for obtaining a criminal records check and a search of the Department of Social Services' child abuse and neglect registry (Central Registry) for each applicant is to be paid by the applicant or the hiring entity. There is no projected cost increase anticipated with this bill.

**9. Specific agency or political subdivisions affected:** Department of Mental Health, Mental Retardation and Substance Abuse Services, Community Services Boards.

**10. Technical amendment necessary:** No.

**11. Other comments:** None.

**Date:** 1/29/04 / jlv

**Document:** G:\04-06\Efis\Mhmr\Sb93s1.Doc Janet Vogelgesang

cc: Secretary of Health and Human Resources