

Department of Planning and Budget

2017 Fiscal Impact Statement

1. Bill Number: SB 1008

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: Hanger

3. Committee: Rehab and Social Services

4. Title: Criminal history records checks; barrier crimes.

5. Summary: Clarifies the individual crimes that constitute a barrier for (i) individuals seeking employment at nursing homes, home care organizations, hospices, state facilities, and private providers licensed by the Department of Behavioral Health and Developmental Services, community services boards, behavioral health authorities, assisted living facilities, adult day care centers, children's welfare agencies, family day homes approved by family day systems, and children's residential facilities; (ii) applicants for licensure, registration, or approval as assisted living facilities, child welfare agencies, or family day homes approved by family day systems; (iii) individuals with whom a local board of social services or child-placing agency is considering placing a child on an emergency, temporary, or permanent basis; (iv) foster and adoptive homes seeking approval from child-placing agencies; and (v) providers of adult services and adult foster care seeking approval by the Department of Social Services. The bill provides further that in all cases, in addition to convictions for any barrier crime, pending charges for and findings of not guilty by reason of insanity of any barrier crime also constitute such a barrier. The bill also adds certain offenses to the list of barrier crimes.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: None

8. Fiscal Implications: The proposed legislation would expand the definition of a crime that constitutes a barrier to service in direct care health service organizations. While the language would increase the number of crimes that providers and agencies must screen for in applicants, it would not increase each individual review time enough to justify the need for additional resources. Additionally, the proposed language could potentially screen out more applicants who would otherwise be eligible for direct care positions under the current code language. This amendment to the introduced bill clarifies the code section that is to be changed in order to implement the proposed legislation. It does not have any effect on the fiscal impact associated with this bill.

9. Specific Agency or Political Subdivisions Affected: Department of Behavioral Health and Developmental Services, Community Services Boards, Department of Health, Health Care Providers

10. Technical Amendment Necessary: No

11. Other Comments: None