

WAC 388-113-0005 What is the purpose of this chapter and to whom does it apply? (1) The purpose of this chapter is to describe the following:

(a) Criminal convictions, pending charges, and negative actions that automatically disqualify an applicant from having unsupervised access to vulnerable adults or minors who are receiving services from a program or facility under subsection (2) of this section;

(b) Exceptions to automatic disqualifications that may apply to certain criminal convictions and pending charges;

(c) Character, competence, and suitability review;

(d) Circumstances in which providers may share background check results and criminal history record information;

(e) One hundred and twenty day provisional hire while fingerprints are pending; and

(f) Confidentiality and retention for background checks.

(2) This chapter applies to the following programs or facilities:

(a) Long-term care workers providing in-home care under chapter 388-106 WAC, Long-term care services;

(b) Chapter 388-76 WAC, Licensed adult family homes;

(c) Chapter 388-78A WAC, Licensed assisted living facilities;

(d) Chapter 388-97 WAC, Licensed nursing homes and medicare and medicaid certified nursing facilities;

(e) Certified community residential services and supports under chapter 388-101 and 388-101D WAC;

(f) Chapter 388-107 WAC, Licensed enhanced services facilities under chapter 388-107 WAC; and

(g) Developmental disabilities administration programs under chapter 388-825 WAC.

[Statutory Authority: RCW 74.08.090, 74.09.520, 43.43.832, 74.39A.270, 74.39A.056, 74.39A.074, 43.20A.710, 74.39A.525, 43.43.842, 74.39A.326, 74.39A.515, 74.39A.505, 18.88B.021, 43.43.837 and 2018 c 278. WSR 21-18-081, § 388-113-0005, filed 8/30/21, effective 10/1/21. Statutory Authority: RCW 74.08.090, 74.09.520, 74.39A.056. WSR 14-14-025, § 388-113-0005, filed 6/24/14, effective 7/25/14.]